

# Office Consolidation

## **CITY OF TORONTO - Zoning By-law**

### **BY-LAW NO. 569-2013**

Last Updated: September 30, 2022

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OLT/LPAT/OMB File: PL130592

This office consolidation includes all Ontario Land Tribunal/Local Planning Appeal Tribunal/Ontario Municipal Board (OLT/LPAT/OMB) decisions issued up to the date of consolidation.

#### Explanatory Note:

The portions of this By-law that are highlighted bright yellow were originally enacted by City Council May 9, 2013 and are under appeal to the OLT/LPAT/OMB and are not in full force and effect.

The portions of this By-law that are shaded dark yellow identify amendments enacted by City Council after May 9, 2013 which are under appeal to the OLT/LPAT/OMB and are not in full force and effect.

The portions of this By-law that are shaded blue identify amendments enacted by City Council after May 9, 2013 which are not in full force and effect.

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### **Part 1 of 3**

ORIGINALLY ENACTED BY CITY COUNCIL May 9, 2013

**The following zoning by-law amendments have been enacted by City Council or the OLT/LPAT/OMB but are not yet incorporated into the office consolidation of By-law 569-2013:**

**113-2015 (OMB) – 170 North Queen Street**

**1043-2015 - 270-288 Church Street, 101-105 Bond Street and 111 Bond Street**

**1356-2015 - 151-177 Roehampton Avenue and 140-144 Redpath Avenue**

**1358-2015 - 33 King Street, 22 John Street and 2 Elsmere Avenue**

**225-2016 - 12-18 Marquette Avenue and 7 Carhartt Street**

**292-2016 - 1030 and 1040 Islington Avenue**

**758-2016 - 11 and 33 Centre Avenue and 80 Chestnut Street**

**826-2017 – 90 Eglinton Avenue West and 17-19 Henning Avenue**

**831-2017 – 15, 17, 19 and 21 Greenbriar Road**

**1268-2017 – Amendment to By-law 831-2017 noted above**

**1296-2018 – 721 Eastern Ave**

**269-2019 – 125, 129 and 131 O'Connor Drive and 1119 and 1121 Pape Avenue**

**1011-2020(LPAT) – 250 Lawrence Avenue West and 219 Glengarry Avenue**

**906-2022 – 72 Perth Avenue**

**1009-2022 - 25 Sewells Road and 182 to 250 Brenyon Way**

**Any zoning by-law amendment enacted after September 30, 2022 or not appearing on the By-law Status Registry as of September 30, 2022**

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## Chapter 1 Administration

### 1.5 General

#### 1.5.1 Title

(1) Title

This By-law is known as the "Zoning By-law for the City of Toronto".

(2) Internal Reference

Any references to "this By-law" means the Zoning By-law for the City of Toronto.

#### 1.5.2 Purpose and Intent of this By-law

(1) Purpose and Intent

This By-law regulates the use of land, the bulk, height, location, erection and use of **buildings** and **structures**, the provision of **parking spaces**, **loading spaces** and other associated matters in the City of Toronto.

#### 1.5.3 Licenses, Permits and Other By-laws

(1) Licences, Permits and Other By-laws

This By-law does not relieve any person from complying with the requirements of any other by-law of the City of Toronto, as amended, or from the obligation to obtain a permit, licence or approval required under any other by-law of the City of Toronto, as amended.

#### 1.5.4 Defined Terms

(1) Defined Terms

If words, terms, or phrases are highlighted in bold type in this By-law, they have the meaning provided in Chapter 800 Definitions.

#### 1.5.5 Zoning By-law Map

(1) Zoning By-law Map

The Zoning By-law Map is found in Section 990.10 Zoning By-law Map.

#### 1.5.6 Former General Zoning By-laws

(1) Former General Zoning By-laws are not Repealed

Nothing in this By-law repeals the provisions of the **Former General Zoning By-laws**.

(2) Former General Zoning By-laws are Superseded by this By-law

This By-law supersedes the **Former General Zoning By-laws** where it applies.

#### 1.5.7 Lands Subject to this By-law

(1) Lands Subject to this By-law

This By-law applies to all the lands in the City of Toronto, except for those lands depicted on the Zoning By-law Map in Section 990.10 with diagonal hatching and the name and number of one of the **Former General Zoning By-laws**.

#### 1.5.8 Items that are part of this By-law

(1) Items that are Part of this By-law

The following are part of this By-law:

- (A) Table of Contents;
- (B) Maps and Tables; and
- (C) a drawing or other visual representation that is labelled as a "Diagram".

**1.5.9 Items that are not part of this By-law**

(1) Items that are not Part of this By-law

The following are not part of this By-law:

- (A) headings and titles in the body of this By-law are included for convenience and reference purposes;
- (B) references within square brackets are included for convenience and reference purposes;
- (C) a drawing or other visual representation that is labelled as an "Illustration" is included for convenience and reference purposes; and
- (D) margin notes that give information, clarify intention, provide examples or information, or refer to legislation or other by-laws or to other parts of this By-law are included for convenience and references purposes.

**1.5.10 Severability of this By-law**

(1) Validity

Should any regulation of this By-law be declared by a court of competent jurisdiction to be invalid, the invalidity of that regulation does not affect the validity of this By-law as a whole.

## 1.20 Interpretation

### 1.20.1 By-law Structure

(1) By-law Structure and Numbering

This By-law is divided into parts using a numeric decimal system as follows:

20. Chapter  
20.10 Section  
20.10.30 Article  
20.10.30.15 Clause

(2) Numbering of Regulations

Articles or Clauses may be divided further into bracketed divisions known as Regulations with the following structure:

(25) [bracketed numeral]

(A) [bracketed upper-case letter]

(i) [bracketed lower-case Roman numeral]

(a) [bracketed lower-case letter]

(3) Numerical Sequence of Chapters, Sections, Articles and Clauses

The Chapters, Sections, Articles and Clauses in this By-law intentionally do not follow in consecutive numerical sequence in order to reserve space for the placement of future regulations. Reference should be made to the Table of Contents to determine the intended numerical sequence of the regulations of this By-law.

### 1.20.2 How to Read this By-law -Text

(1) Reference to a Chapter, Section, Article, Clause or Regulation

Reference to a Chapter, Section, Article, Clause or Regulation is a reference to a Chapter, Section, Article, Clause or Regulation in this By-law.

(2) Reference to a Sub-section of a Regulation

If reference is made to a sub-section of a regulation, the sub-section itself may be referred to for the sake of brevity. For example, "20.10.30.15" would be Clause 15 of Article 30 of Section 10 of Chapter 20, but may be referred to as "Clause 20.10.30.15"; so too "20.10.30.15(1)" may be referred to as "regulation 20.10.30.15(1)".

(3) Numeric Reference to a Regulation

A numeric reference may be made to a regulation in this By-law.

(4) References in Square Brackets

Information in square brackets [ ] following a regulation is a reference to the origin of that regulation or to a tribunal decision that approved the regulation.

(A) References to city codes in square brackets, as follows:

- (i) EY - for the former Borough of East York; [ By-law: 1774-2019 ]
- (ii) ET - for the former City of Etobicoke;
- (iii) NY - for the former City of North York;
- (iv) SC - for the former City of Scarborough;
- (v) YK - for the former City of York;
- (vi) TO - for the former City of Toronto; and
- (vii) TOR - for the amalgamated City of Toronto;

(B) By-laws are represented in square brackets by city code and by-law number;

(C) Sections of by-laws are represented in square brackets by city code, by-law number and section; and

(D) Ontario Municipal Board decisions are represented in square brackets by "OMB" and the file number.

(5) Reference to Planning Act

A reference to the Planning Act in this By-law, refers to the Planning Act, R.S.O. 1990, c. P.13, as amended.

(6) Word Usage

In this By-law, unless the contrary intention appears:

- (A) words used in the singular include the plural;
- (B) words used in the plural include the singular;
- (C) "used" includes "intended to be used"; and
- (D) a grammatical variation of a word or expression defined or used has the same meaning.

(7) Conjunctions and Disjunctions

Unless the context indicates otherwise:

- (A) "and" indicates that all connected items or regulations apply; and
- (B) "or" indicates that the connected items or regulations may apply singularly, alternatively or in combination.

(8) Examples

If "such as" appears in this By-law followed by examples, the application of "such as" to a definition or regulation is not limited to those examples.

(9) Zone Categories and Zones

Chapters 10 to 100 comprise different zone categories that include one or more zones with the same primary land use permissions. [ By-law: 1774-2019 ]

(10) General Regulations for Each Zone

General regulations that apply to all zones or within a zone category may be superseded by more specific regulations in the zone sections.

(11) Reference to a Zone Category

A reference made to a zone category includes all zones within that zone category.

(12) Reference to a Zone

A reference to a zone includes its zone name, zone symbol, or zone label.

(13) Interpretation of Permitted Uses

A use is permitted in a zone if it is:

- (A) included on the list of permitted uses for that zone; or
- (B) included on the list of permitted uses with conditions.

(14) When Uses Are Not listed

If a use is not listed as permitted, it is not allowed.

(15) Interpretation of Uses

A listed or defined permitted use may not be interpreted as including any other use.

### 1.20.3 How to Read this By-law - Zoning By-law Map

(1) Zone Symbols and Zone Labels

The zone symbol on the Zoning By-law Map may be followed by components outlined in the "Interpretation" Section of each Chapter. The zone symbol and components are collectively referred to as the zone label.

(2) Zone Labels and Boundaries

All lands regulated by this By-law are delineated by a zone boundary line on the Zoning By-law Map and identified by a zone label with one of the zone symbols listed in Section 1.40.

(3) Site Specific Exceptions

If a zone label on the Zoning By-law Map has round brackets ( ) with a lowercase "x" followed by a number, the number in the round brackets refers to specific regulations for the **lot** or area in that zone, found in Chapter 900 Site Specific Exceptions.

(4) Holding Symbol (H)

If an "H" appears in round brackets ( ) in front of a zone symbol on the Zoning By-law Map, the use or intensity of the development permitted by the zone symbol and zone label for that area is restricted to those permitted by the exception in the zone label as described in regulation 1.20.3(3).



(5) Determination of Zone Boundaries

When a zone boundary is located in a public right-of-way, it extends to the centre line of the public right-of-way.

(6) Lots in More than One Zone

If a **lot** is in more than one zone, the regulations for each zone apply to the portion of the **lot** within the respective zone.

#### **1.20.4 How to Read this By-law - Overlay Maps**

(1) Purpose of an Overlay Map

An Overlay Map may alter, add or remove some of the regulations affecting the use of land within an area depicted on the Overlay Map.

(2) Overlay Maps

The following are the Overlay Maps in this By-law:

- (A) Policy Areas Overlay Map, found in Section 995.10;
- (B) Height Overlay Map, found in Section 995.20;
- (C) Lot Coverage Overlay Map, found in Section 995.30; and
- (D) Rooming House Overlay Map, found in Section 995.40.

## 1.40 Zones and Zone Categories

### 1.40.10 Residential Zone Category

(1) Residential Zones

The zones in the Residential Zone category are:

ZONE NAME	ZONE SYMBOL
Residential	R
Residential Detached	RD
Residential Semi-Detached	RS
Residential Townhouse	RT
Residential Multiple	RM

(2) Purpose of the Residential Zone Category

The Residential Zone category permits uses associated with the Neighbourhoods designation in the Official Plan. This zone category includes a range of **residential building** types in different zones. The zones within this category also include permission for **parks** and local institutions.

(3) Purpose of the Zones in the Residential Zone Category

The purpose of each zone in the Residential Zone category is as follows:

(A) Residential (R)

The purpose of the R zone is to provide areas for a variety of **residential building** types, including **detached houses, semi-detached houses, townhouses, duplexes, triplexes, fourplexes** and **apartment buildings**.

(B) Residential Detached (RD)

The purpose of the RD zone is to provide areas for **detached houses**.

(C) Residential Semi-Detached (RS)

The purpose of the RS zone is to provide areas for **detached houses** and **semi-detached houses**

(D) Residential Townhouse (RT)

The purpose of the RT zone is to provide areas for **detached houses, semi-detached houses** and **townhouses**.

(E) Residential Multiple (RM)

The purpose of the RM zone is to provide areas for **detached houses, semi-detached houses, duplexes, triplexes, fourplexes**, and low-rise **apartment buildings**.

### 1.40.15 Residential Apartment Zone Category

(1) Residential Apartment Zones

The zones in the Residential Apartment Zone category are:

ZONE NAME	ZONE SYMBOL
Residential Apartment	RA
Residential Apartment Commercial	RAC

(2) Purpose of the Residential Apartment Zone Category

The Residential Apartment Zone category permits uses associated with the Apartment Neighbourhoods designation in the Official Plan. This zone category includes **apartment buildings, parks**, local institutions and small scale retail.

(3) Purpose of the Zones in the Residential Apartment Zone Category

The purpose of each zone in the Residential Apartment Zone category is as follows:

(A) Residential Apartment (RA)

The purpose of the RA zone is to provide areas for **apartment buildings**.

(B) Residential Apartment Commercial (RAC)

The purpose of the RAC zone is to provide areas for **apartment buildings** with local institutions and small scale retail.

#### 1.40.30 Commercial Zone Category

(1) Commercial Zones

The zones in the Commercial Zone category are:

ZONE NAME	ZONE SYMBOL
Commercial Local	CL

(2) Purpose of the Commercial Zone Category

The Commercial Zone category permits **parks, recreation uses**, commercial uses and institutional uses associated with the Neighbourhoods and Apartment Neighbourhoods designations in the Official Plan.

(3) Purpose of the Zones in the Commercial Zone Category

The purpose of each zone in the Commercial Zone category is as follows:

(A) Commercial Local (CL)

The purpose of the CL zone is to provide areas for small-scale commercial uses to serve the needs of the local residential area.

#### 1.40.40 Commercial Residential Zone Category

(1) Commercial Residential Zones

The zones in the Commercial Residential Zone category are:

ZONE NAME	ZONE SYMBOL
Commercial Residential	CR

(2) Purpose of the Commercial Residential Zone Category

The Commercial Residential Zone category permits uses associated with the Mixed Use designation in the Official Plan. This zone category includes a range of commercial, residential and institutional uses, as well as **parks**.

(3) Purpose of the Zones in the Commercial Residential Zone Category

The purpose of each zone in the Commercial Residential Zone category is as follows:

(A) Commercial Residential (CR)

The purpose of the CR zone is to provide areas for a broad range of uses, including retail, service commercial, office and residential uses, often in **mixed use buildings**. The CR zone has development standard sets which set out specific requirements, such as permitted maximum height for a **building**, required minimum and permitted maximum **building setbacks**, and **angular planes**, based on the different physical contexts found in the downtown, "main-streets" and suburban areas.

#### 1.40.50 Commercial Residential Employment Zone Category

(1) Commercial Residential Employment Zones

The zones in the Commercial Residential Employment Zone category are:

ZONE NAME	ZONE SYMBOL
Commercial Residential Employment	CRE

(2) Purpose of the Commercial Residential Employment Zone Category

The Commercial Residential Employment Zone category permits uses associated with the Regeneration Areas designation in the Official Plan. This zone category includes a mix of commercial, residential, light industrial and institutional uses, as well as **parks**. [ By-law: 1774-2019 ]

(3) Purpose of the Zones in the Commercial Residential Employment Zone Category

The purpose of each zone in the Commercial Residential Employment Zone category is as follows:

(A) Commercial Residential Employment (CRE)

The purpose of the CRE zone is to provide areas for a range of retail, service commercial, office, residential and limited industrial uses in single and multiple use **buildings**.

#### 1.40.60 Employment Industrial Zone Category

(1) Employment Industrial Zones

The zones in the Employment Industrial Zone category are:

ZONE NAME	ZONE SYMBOL
Employment Light Industrial	EL
Employment Industrial	E
Employment Heavy Industrial	EH
Employment Industrial Office	EO

(2) Purpose of the Employment Industrial Zone Category

The Employment Industrial Zone category permits uses associated with the Employment Areas designation in the Official Plan. This zone category includes a variety of manufacturing, warehousing, distribution and office uses within different zones. Some zones have permissions for **parks**, **hotels**, small scale retail and services serving area businesses.

(3) Purpose of the Zones in the Employment Industrial Zone Category

The purpose of each zone in the Employment Industrial Zone category is as follows:

(A) Employment Light Industrial (EL)

The purpose of the EL zone is to provide areas for light manufacturing, industrial and other employment uses that co-exist in close proximity to sensitive land uses, such as residential and open space.

(B) Employment Industrial (E)

The purpose of the E zone is to provide areas for general manufacturing, industrial and other employment uses that co-exist in relatively close proximity to other manufacturing and industrial uses without major impacts on each other.

(C) Employment Heavy Industrial (EH)

The purpose of the EH zone is to provide areas for heavy manufacturing, industrial and other employment uses that may have impacts on adjacent lands.

(D) Employment Industrial Office (EO)

The purpose of the EO zone is to provide areas for a mix of light manufacturing and office uses that co-exist with each other in a "business park" setting.

#### 1.40.80 Institutional Zone Category

(1) Institutional Zones

The zones in the Institutional Zone category are:

ZONE NAME	ZONE SYMBOL
Institutional	I
Institutional Hospital	IH
Institutional Education	IE

Institutional School IS  
Institutional Place of Worship IPW

(2) Purpose of the Institutional Zone Category

The Institutional Zone category permits uses associated with the Institutional Areas designation in the Official Plan. This zone category includes major educational, health, and government uses within different zones. Some zones may have cultural and institutional uses and institutional residences.

(3) Purpose of the Zones in the Institutional Zone Category

The purpose of each zone in the Institutional Zone category is as follows:

(A) Institutional (I)

The purpose of the I zone is to provide areas for a variety of institutional uses. [ By-law: 1092-2021 ]

(B) Institutional Hospital (IH)

The purpose of the IH zone is to provide areas for **hospitals** and associated uses.

(C) Institutional Education (IE)

The purpose of the IE zone is to provide areas for **post-secondary schools** and associated uses in a campus setting.

(D) Institutional School (IS)

The purpose of the IS zone is to provide areas for **public schools** and **private schools**, and associated uses.

(E) Institutional Place of Worship (IPW)

The purpose of the IPW zone is to provide areas for **places of worship** and associated uses.

## 1.40.90 Open Space Zone Category

(1) Open Space Zones

The zones in the Open Space Zone category are:

ZONE NAME	ZONE SYMBOL
Open Space	O
Open Space Natural	ON
Open Space Recreation	OR
Open Space Golf Course	OG
Open Space Marina	OM
Open Space Cemetery	OC

(2) Purpose of the Open Space Zone Category

The Open Space Zone category permits uses associated with the Parks and Open Space Areas designation in the Official Plan. This zone category includes **parks**, recreational, cultural and educational uses, as well as the conservation of lands. Some zones include permissions for golf courses, marinas and **cemeteries**, together with limited retail and commercial service uses.

(3) Purpose of the Zones in the Open Space Zone Category

The purpose of each zone in the Open Space Zone category is as follows:

(A) Open Space (O)

The purpose of the O zone is to provide areas for **parks**, including gardens and small play areas.

(B) Open Space Natural (ON)

The purpose of the ON zone is to provide areas for the conservation of lands such as ravines and waterways that are part of the natural system.

(C) Open Space Recreation (OR)

The purpose of the OR zone is to provide areas for **parks**, including recreational uses and facilities, such as sports fields, arenas and **community centres**.

(D) Open Space Golf Course (OG)

The purpose of the OG zone is to provide areas for golf courses, including clubhouses and associated services, recreational uses and facilities.

(E) Open Space Marina (OM)

The purpose of the OM zone is to provide areas for marinas, including clubhouses and associated services, recreational uses and facilities.

(F) Open Space Cemetery (OC)

The purpose of the OC zone is to provide areas for **cemeteries**, including associated services and facilities.

#### 1.40.100 Utility and Transportation Zone Category

(1) Utility and Transportation Zones

The zones in the Utility and Transportation Zone category are:

ZONE NAME	ZONE SYMBOL
-----------	-------------

Utility and Transportation	UT
----------------------------	----

(2) Purpose of the Utility and Transportation Zone Category

The Utility and Transportation Zone category permits uses associated with the Utility Corridors designation in the Official Plan. This zone category includes **public utilities, transportation uses** and recreational uses. [ By-law: 1774-2019 ]

(3) Purpose of the Zones in the Utility and Transportation Zone Category

The purpose of each zone in the Utility and Transportation Zone category is as follows:

(A) Utility and Transportation (UT)

The purpose of the UT zone is to provide areas for public utilities, transportation uses, horticultural and outdoor recreational uses. [ By-law: 1774-2019 ]

## Chapter 2 Compliance with this By-law

### 2.1 Matters to Comply

#### 2.1.1 General

(1) Uses to Conform with this By-law

No person may use or permit the use of any land, **building** or **structure** except in conformity with this By-law.

(2) Buildings and Structures to Comply with this By-law

No person may use, erect or alter a **building** or **structure** that does not comply with this By-law.

(3) Lands to Comply with this By-law

A **lot** may not be reduced in area either by severance, conveyance, transfer of ownership or otherwise, unless the remainder of the **lot** complies with this By-law.

(4) Reduction of Lot Area - Conveyance to a Public Authority

If a conveyance or dedication required by a Federal, Provincial or Municipal government, or an expropriation by an expropriating authority:

(A) causes a **lot** to not comply with the required minimum **lot frontage**, required minimum **lot depth**, required minimum **lot area** or required minimum **building setback** regulations of this By-law, the **lot** is deemed to comply with those regulations if the reduction:

- (i) creates a **lot frontage**, **lot depth** or **lot area**, that is at least 85% of the required minimum **lot frontage**, required minimum **lot depth** or required minimum **lot area** for the zone in which the **lot** is located; or
- (ii) creates a **building setback** that is at least 75% of the required minimum **building setback** for the zone in which the **lot** is located;

(B) reduces the permitted maximum number of **dwelling units** or the permitted maximum **gross floor area** on a **lot**, the number of dwelling units or the **gross floor area** on the **lot** is the permitted maximum number of **dwelling units** or the permitted maximum **gross floor area** that was permitted on the **lot** on the day before the conveyance, dedication or expropriation; [ By-law: 451-2022 ]

(C) causes required **parking spaces** on a **lot** to be removed, the required **parking spaces** that remain are deemed to satisfy the **parking space** requirements of this By-law for that **building** and permitted uses that were on the **lot** on the day before the conveyance, dedication or expropriation; and [ By-law: 451-2022 ]

(D) reduces the area of a **lot** so as to cause:

(i) a **lawfully existing building** on a **lot** to exceed the permitted maximum **lot coverage**, the permitted maximum **lot coverage** on that **lot** is the **lot coverage** on the **lot** on the day of the conveyance, dedication or expropriation; or

(ii) a vacant **lot** to have a smaller **lot area**, the permitted maximum **lot coverage** for that vacant **lot** is based upon the **lawful lot area** of that vacant **lot** on the day before the conveyance, dedication or expropriation. [ By-law: 0559-2014 (OMB PL130592) ]

#### 2.1.2 Variances

(1) Continuation of Existing Variances

All minor variances applied for prior to the enactment of this By-law and finally approved pursuant to Section 45 of the Planning Act or its predecessor continue to apply and remain in force as if they are variances to this By-law for **lawfully existing lots, buildings or structures**.

(2) Continuation of Finally Approved Variances

After the expiration of the exemption period in Clause 2.1.3.7, any finally approved minor variances under the **Former General Zoning By-laws** may be relied upon, if the regulatory standard respecting which the minor variance was given is the same or more permissive in this By-law than in the **Former General Zoning By-laws**.

(3) Minor Variance - Application of Former General Zoning By-laws

The **Former General Zoning By-laws**, including the definitions, apply to assist in the interpretation of any minor variance referred to in regulation 2.1.2(1) and (2) in the context of this By-law.

## **2.1.3 Transition Clauses**

### **2.1.3.1 Transition Clause General**

(1) Transition Clause General

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

### **2.1.3.2 Transition: Building Permit Applications**

(1) Building Permit Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(2) Building Permit Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

### **2.1.3.3 Transition: Zoning Certificate Applications**

(1) Zoning Certificate Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(2) Zoning Certificate Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(3) Zoning Certificate Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

### **2.1.3.4 Transition: Minor Variance Applications**

(1) Transition: Minor Variance Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(2) Minor Variance Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(3) Minor Variance Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

### **2.1.3.5 Transition: Site Plan Approval Applications**

(1) Site Plan Approval Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(2) Site Plan Approval Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(3) Site Plan Approval Applications

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

### **2.1.3.6 Transition: Other Approvals and Agreements**

(1) Other Approvals and Agreements



Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(2) Other Approvals and Agreements

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(3) Other Approvals and Agreements

Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

### **2.1.3.7 Transition Clause Duration**

(1) Transition Clause Application

Nothing in this By-law applies so as to continue the application of Clauses 2.1.3.1 to 2.1.3.6 beyond the issuance of the building permit upon which the exemptions are founded.

(2) Transition Clause Duration

In no case do the exemptions mentioned in Clauses 2.1.3.1 to 2.1.3.6 continue beyond the repeal of this transition section.

### **2.1.3.8 Transition Clause Repeal**

(1) Transition Clause Repeal

Clauses 2.1.3.1 to 2.1.3.6 are repealed five years after May 9, 2013. [OMB PL130592 Sept 13,2016]

[ By-law: OMB PL130592 Sept 13,2016 ]

## Chapter 5 Regulations Applying to all Zones

### 5.10 General Regulations

#### 5.10.1 General

##### 5.10.1.10 Interpretation

(1) Application of Chapter

The regulations in Chapter 5, "Regulations Applying to All Zones", apply to all lands, uses, **buildings** and **structures**.

(2) Multiple Uses On a Lot

If a **lot** is used for more than one permitted use, the regulations which apply to each permitted use on the **lot** are applied as if each permitted use exists and operates independently of the other.

(3) Specific Uses

If the zone regulation identifies a use as being a permitted use with conditions, and the condition requires compliance with the specific use regulations in Chapter 150, the specific use must comply with the regulations for the zone in which it is located and the regulations in Chapter 150.

(4) Substantial Demolition

A **building** is not **lawfully existing** if 50% or more of the **main walls** of the first **storey**, or above, are removed or replaced.

##### 5.10.1.30 Restrictions

(1) Use of Unzoned lands

Lands that are on the Zoning By-law Map as lands to which this By-law applies, but are not identified on the Zoning By-law Map as being in a zone, may only be used for open space and may not have a **building** or **structure**.

(2) Habitation in a Vehicle

A **vehicle** may not be used for living accommodation.

(3) Dwelling Unit Below Grade

A **dwelling unit** may not be entirely below:

- (A) **established grade** in the Residential Zone category and Residential Apartment Zone category; and
- (B) **average grade** in any other zone that permits a **dwelling unit**.

#### 5.10.20 Permitted Uses

##### 5.10.20.1 General

(1) City Services

The following are permitted in any zone, if owned or operated by or for, or under the authority of, the City of Toronto or any agency of the City of Toronto:

- (A) facilities for public or emergency services, other than **municipal shelters**;
- (B) Municipally owned **public parking**; and
- (C) on-location filming.

(2) Ancillary Uses

Uses that are **ancillary** to a permitted use on the same **lot**, are permitted if they comply with the regulations of the zone in which the **lot** is located.

##### 5.10.30 Lot Requirements

### 5.10.30.1 General

(1) Availability of Services

No land may be used and no **building** or **structure** may be erected or used on the land unless:

- (A) the land abuts an existing **street**, or is connected to an existing **street** by a **street** or **streets**, constructed to a minimum base curb and base asphalt or concrete; and
- (B) all Municipal water mains and Municipal sewers, and their appurtenances, are installed to a **lot line** of the property and are operational.

(2) Fronting on a Street

Except for a Parcel of Tied Land, a **building** or **structure** may not be erected or used, on any **lot** that does not abut a **street**. For the purpose of this regulation, a "Parcel of Tied Land" has the meaning given to it in section 24 of Ontario Regulation 49/01 made under the Condominium Act, 1998, S.O. 1998, c.19, as amended. This regulation does not apply to a **lot** separated from a **street** by a 0.3 metre reserve where **vehicle** access to the **lot** is available from a **lane**.

(3) Lot with Reserve Along Street - No Access

If a **lot** is separated from a **street** by a 0.3 metre reserve and the **lot** does not abut another **street**, the **lot line** abutting the 0.3 metre reserve is the **front lot line** for the purpose of establishing **lot** orientation. This regulation does not deem the **lot** to abut a **street** from which it is separated by a 0.3 metre reserve.

### 5.10.30.20 Lot Frontage

(1) Designated Front Lot Line for Corner Lots

The **lot line** or contiguous **lot lines** separating a **corner lot** from one **street** or one **street** segment may be selected as the **front lot line**, and despite the definition of **front lot line**, the **lot line** or contiguous **lot lines** separating the **corner lot** from another **street** or **street** segment is not a **front lot line**.

(2) Designated Front Lot Line for Through Lots

On a **through lot**, a **lot line** abutting a **street** may be selected as the **front lot line** if that **lot line** is not separated from the **street** by a 0.3 metre reserve.

### 5.10.30.40 Lot Coverage

(1) Ramp or Elevating Device Providing Barrier Free Access

A pedestrian access ramp or elevating device providing "barrier-free" access to a **building** or **structure** is not included in the calculation of **lot coverage**.

### 5.10.40 Principal Building Requirements

#### 5.10.40.1 General

(1) Non-Complying Building or Structure Damaged by Acts Beyond Owner's Control

If a **lawfully existing building** or **structure** does not comply with the **building** regulations for the zone in which it is located and it has been damaged or destroyed as a result of matters beyond the control of the owner, it may be reconstructed or repaired if there is no increase in the noncompliance.

(2) Non-Complying Building or Structure - Restoration to a Safe Condition

If a **lawfully existing building** or **structure** does not comply with the **building** regulations for the zone in which it is located and it has been determined to be in an unsafe condition by the City of Toronto, the unsafe portion of the **building** or **structure** may be repaired or restored to a safe condition if there is no increase in the noncompliance; and the restoration or repair will not alter the location of any part of the **building** or **structure** unless it is authorized by a Section 45 Planning Act minor variance.

(3) Location Restriction Below a Shoreline Hazard Limit or Stable Top-of-Bank

On lands under the jurisdiction of the Toronto and Region Conservation Authority pursuant to the Conservation Authorities Act, R.S.O. 1990 c. C.27, as amended, other than in the Open Space Zone category, if the Toronto and Region Conservation Authority determines that a shoreline hazard limit or a stable top-of-bank crosses a **lot**, no

**building** or **structure** may be located on the portion of the **lot** below that shoreline hazard limit or stable top-of-bank, unless it is:

- (A) an **ancillary building** or **structure** on a **lot** in the Residential Zone category; or
- (B) for the purpose of conservation works, **public utilities**, or **transportation uses**.

(4) Lawfully Existing Buildings Not Complying With Location Restriction Below a Shoreline Hazard Limit or Stable Top-of-Bank

If a **lawfully existing building** or **structure** is on a portion of a **lot** below a shoreline hazard limit or stable top-of-bank, that **lawfully existing building** or **structure** is permitted in that location, and regulation 5.10.40.1(3) does not apply to prevent an alteration to that **lawfully existing building** or **structure**, or its replacement in the same location, if its **lawful** height, length or width is not increased.

#### 5.10.40.10 Height

(1) Height of Buildings and Structures - Flight Path

If a **lot** is located under a flight path regulated by the Government of Canada, the permitted maximum height of a **building** or **structure** is the lower of the maximum height permitted by:

- (A) this By-law; or
- (B) the Government of Canada.

#### 5.10.40.40 Floor Area

(1) Floor Area Calculation Restriction Below a Shoreline Hazard Limit or Stable Top-of-Bank

On lands under the jurisdiction of the Toronto and Region Conservation Authority pursuant to the Conservation Authorities Act, R.S.O. 1990 c. C.27, as amended, other than in the Open Space Zone category, if the Toronto and Region Conservation Authority determines that a shoreline hazard limit or a stable top-of-bank crosses a **lot**, the portion of the **lot** below that shoreline hazard limit or stable top-of-bank is not included in the calculation of the floor space index for that **lot**.

(2) Lawfully Existing Buildings Not Complying With Floor Area Calculation Restriction Below a Shoreline Hazard Limit or Stable Top-of-Bank

Regulation 5.10.40.40(1) does not apply to prevent the alteration of a **lawfully existing building** or **structure**, or its replacement, if the floor space index resulting from those **lawfully existing buildings** or **structures** is not increased.

#### 5.10.40.70 Setbacks

(1) Compliance with Required Building Setback

No part of a **building** or **structure** may be in a required minimum **building setback**.

(2) Parts of a Building to which a Required Building Setback Applies

**Building setback** requirements apply only to all parts of a **building** or **structure** above ground. [ By-law: OMB PL130592 ]

(3) Application of Building Setbacks for a Building Located on More Than One Lot

If a **building** is located on more than one **lot**, the required minimum **building setbacks** are measured from the **lot lines** forming the boundary of the combined **lots** to the **main walls** of the **building**.

(4) Minimum Building Setbacks for a Use Not Located Within a Building or Structure

A use that is not located inside a **building** or **structure** must comply with the required minimum **building setbacks** for a **building** on the **lot**, unless:

- (A) it is **landscaping** or a horticultural use;
- (B) it is a **park** or an outdoor **recreation use**; or
- (C) a regulation of this By-law permits an alternative minimum **building setback**.

(5) Rear Yard Building Setback for Triangular Shaped Lots

If a **lot** fronts on a **street** and has no **rear lot line**, the **rear yard** required minimum **building setback** is measured as a radius from the point where the **side lot lines** meet.

(6) Setback from the Shoreline Hazard Limit or Stable Top-of-Bank

On lands under the jurisdiction of the Toronto and Region Conservation Authority pursuant to the Conservation Authorities Act, R.S.O 1990 c. C.27, as amended, other than in the Open Space Zone category, if the Toronto and Region Conservation Authority determines that a shoreline hazard limit or a stable top-of-bank crosses a **lot**, a **building** or **structure** on that **lot** must be set back a minimum of 10 metres from that shoreline hazard limit or stable top-of-bank, unless it is:

- (A) an **ancillary building** or **structure** on a **lot** in the Residential Zone category; or
- (B) for the purpose of conservation works, **public utilities**, or **transportation uses**.

(7) Lawfully Existing Buildings Not Complying With Setback from a Shoreline Hazard Limit or Stable Top-of-Bank

If a **lawfully existing building** or **structure** is closer to a shoreline hazard limit or stable top-of-bank than the required minimum **building setback**, that **lawfully existing building** or **structure** is permitted in that location, and regulation 5.10.40.70(6) does not apply to prevent an alteration to that **lawfully existing building** or **structure**, or its replacement on the same **lot**, if the alteration or replacement is no closer to the shoreline hazard limit or stable top-of-bank than the existing **building setback** at every point along the **main walls** of the **lawfully existing building** or **structure**.

## 5.10.40.80 Separation

(1) Separation Distance from the Shoreline Hazard Limit or Stable Top-of-Bank

On lands under the jurisdiction of the Toronto and Region Conservation Authority pursuant to the Conservation Authorities Act, R.S.O 1990 c. C.27, as amended, other than in the Open Space Zone category, a **building** or **structure** on a **lot** may be no closer than 10 metres from a shoreline hazard limit or a stable top-of-bank not on that **lot**, as determined by the Toronto and Region Conservation Authority, unless it is:

- (A) an **ancillary building** or **structure** on a **lot** in the Residential Zone category; or
- (B) for the purpose of conservation works, **public utilities**, or **transportation uses**.

(2) Lawfully Existing Buildings Not Complying With Separation Distance from a Shoreline Hazard Limit or Stable Top-of-Bank

If a **lawfully existing building** or **structure** is located closer to a shoreline hazard limit or stable top-of-bank than the separation distance required by this By-law, that **lawfully existing building** or **structure** is permitted in that location, and regulation 5.10.40.80(1) does not apply to prevent an alteration to that **lawfully existing building** or **structure**, or its replacement on the same **lot**, if the alteration or replacement is no closer to the shoreline hazard limit or stable top-of-bank than the existing distance at every point along the **main walls** of the **lawfully existing building** or **structure**.

## 5.10.50 Yards

### 5.10.50.10 Landscaping

(1) Ramp or Elevating Device Providing Barrier Free Access

The area covered by an exterior pedestrian access ramp or exterior elevating device that provides "barrier-free" access from the ground to the **first floor** of the **building**, is **landscaping**.

## 5.10.60 Ancillary Buildings and Structures

### 5.10.60.1 General

(1) Ancillary Buildings and Structures

**Buildings** and **structures** that are **ancillary** to a permitted use on the same **lot**, are permitted if they comply with the regulations of the zone in which the **lot** is located.

(2) Satellite Dish Not Mounted on a Building

A satellite dish not mounted on a **building**, or a **structure**:

- (A) may not be in a **front yard** or a **side yard** that abuts a **street**;
  - (B) may be no closer to a **side lot line** or **rear lot line** than a distance equal to the greater of:
    - (i) the diameter or largest width of the satellite dish; and
    - (ii) if it is 3.0 metres or more from the **building**, half the height of the **structure**; or
    - (iii) if it is less than 3.0 metres from the **building**, the required minimum **building setback**; and
  - (C) if on a **lot** that is adjacent to a **lot** in the Residential Zone category, the permitted maximum height of the satellite dish is 5.0 metres, measured from the ground at its base to the top of its uppermost element.
- (3) Satellite Dish on the Roof of a Building  
If a satellite dish is mounted on the roof of a **building**, it may be no closer to any **main wall** than the distance equal to the largest radius of the satellite dish.
- (4) Satellite Dish on a Building but Not the Roof  
If a satellite dish is located on a **building** other than on the roof, it must comply with the required minimum **building setbacks**.

## 5.10.75 Energy Regulations

### 5.10.75.1 General

- (1) Meaning of Distribution  
For the purpose of the Clause 5.10.75.1, the term "distribution" means the delivery of energy derived from **renewable energy** or **cogeneration energy**, to a distribution network connected to the **lot**.
- (2) Relation of By-law to Green Energy Act  
Despite any of the provisions of this By-law, the regulations in this By-law do not apply to:
- (A) any "renewable energy undertaking", as defined in the Planning Act, respecting which the Planning Act stipulates that a zoning by-law does not apply;
  - (B) any "renewable energy project", "renewable energy source" or "renewable energy testing project", as defined in the Green Energy Act, 2009, S.O. 2009, Chapter 12 Schedule A, as amended, which is designated by regulation under the Green Energy Act and for which the Green Energy Act stipulates that restrictions established by a Municipal by-law are inoperative; and
  - (C) any goods, services and technologies designated by regulation under the Green Energy Act, 2009, S.O. 2009, Chapter 12 Schedule A, as amended, and for which the Green Energy Act stipulates that restrictions established by a Municipal by-law are inoperative.
- (3) Distribution of Energy From Renewable Energy and Cogeneration Energy Sources  
The distribution of energy derived from **renewable energy** sources and **cogeneration energy** sources, using wires or pipes is permitted in all zones of this By-law if:
- (A) the distribution of the **renewable energy** and **cogeneration energy** produced complies with all Municipal, Provincial and Federal, by-laws, statutes and regulations; and
  - (B) the distribution of **renewable energy** and **cogeneration energy** is carried out in compliance with all other regulations of this By-law.

## 5.10.175 Fence

### 5.10.175.1 General

- (1) Fences  
A fence required by this By-law must comply with the regulations of Chapter 447, Fences, of the City of Toronto Municipal Code, as amended, and any other Code or by-law provision pertaining to fences.
- (2) Fences - Exemption from Building Setback Requirements  
A fence is not required to comply with the required minimum **building setbacks**.



## Chapter 10 Residential

### 10.5 Regulations Applying to the Residential Zone Category

#### 10.5.1 General

##### 10.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 10.5 apply to all lands, uses, **buildings** and **structures** in the Residential Zone category.

(2) Interpretation of the Residential Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Residential Zone category consists of the letters R, RD, RS, RT or RM, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label

In the Residential Zone category, the letters following the zone symbol in the zone label have the following meaning:

- (A) the letter "f" and a numerical value indicates the required minimum **lot frontage** in metres;
- (B) the letter "a" and a numerical value indicates the required minimum **lot area** in square metres;
- (C) the letters "au" and a numerical value indicates the required minimum **lot area** for each **dwelling unit** on a **lot**, in square metres;
- (D) the letter "u" and a numerical value indicates the permitted maximum number of **dwelling units** on a **lot**; and
- (E) the letter "d" and a numerical value indicates the permitted maximum floor space index for a **lot**.

#### 10.5.20 Permitted Uses

##### 10.5.20.1 General

(1) Lawfully Existing Public School, Private School

A **lawfully existing public school** or **private school** on a **lot** in the Residential Zone category is permitted on that **lot**, and:

- (A) any expansion or addition to the **lawfully existing public school** or **private school building** must comply with Section 150.48 and the requirements for the zone in which the **lot** is located; and
- (B) the **lawfully existing public school** or **private school** may be replaced with a new school **building** that complies with Section 150.48 and the requirements for the zone in which the **lot** is located.

#### 10.5.30 Lot Requirements

##### 10.5.30.1 General

(1) Lot Requirements

Additional **lot** requirements are in each zone in the Residential Zone category.

##### 10.5.30.11 Lot Area Exemptions

(1) Permitted Lot Area for Lawfully Existing Lots

In the Residential Zone category, if the **lawful lot area** of a **lawfully existing lot** is less than the minimum **lot area** required by this By-law, that **lawful lot area** is the minimum **lot area** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings



In the Residential Zone category, an addition or extension to a **lawfully existing building or structure** on a **lot** referred to in regulation 10.5.30.11(1) must comply with all other regulations of this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Vacant Lawfully Existing Lot

In the Residential Zone category, if a **lot** referred to in regulation 10.5.30.11(1) is vacant, only a **detached house** may be constructed on that **lot**, and the **detached house** must comply with all other regulations of this By-law or be authorized by a Section 45 Planning Act minor variance.

### 10.5.30.20 Lot Frontage

(1) Designated Front Lot Line for Through Lots

Despite regulation 5.10.30.20(2), on a **through lot** in the Residential Zone category, any **lot line** separating the **lot** from a **street** may be selected as the **front lot line**, if:

- (A) the **lot line** is not separated from the **street** by a 0.3 metre reserve; and
- (B) the **lot line** abuts a **street** where an adjacent **lot** has its **front lot line** on the same **street**.

(2) Minimum Front Lot Line for a Residential Building

In the Residential Zone category, a **residential building** may not be erected on a **lot** that does not have a **front lot line** of at least 3.5 metres, unless the **lot**:

- (A) abuts a **lane** with a minimum width of 6.0 metres; and
- (B) has a minimum of 3.5 metres of the **rear lot line** abutting the **lane**.

### 10.5.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the Residential Zone category, if the **lawful lot frontage** of a **lawfully existing lot** is less than the minimum **lot frontage** required by this By-law, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building or structure** on a **lot** referred to in regulation 10.5.30.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Vacant Lawfully Existing Lot

If a **lot** referred to in regulation 10.5.30.21(1) is vacant, only a **detached house** may be constructed on that **lot**, and only if:

- (A) the **lot frontage** is at least 6.0 metres; and
- (B) the **detached house** complies with all other requirements of this By-law or is authorized by a Section 45 Planning Act minor variance.

### 10.5.30.40 Lot Coverage

(1) Lot Coverage Exclusion for Permitted Encroachments

In the Residential Zone category, any part of a **building or structure** that is permitted to encroach into a required minimum **building setback** in Clause 10.5.40.60, is not included in the calculation of **lot coverage**.

(2) Parts of Platforms that are Not Permitted Encroachments

In the Residential Zone category, any part of a platform without **main walls**, such as a deck, porch, balcony or similar **structure** that does not encroach into a required minimum **building setback**, and any roof, canopy, awning or similar **structure** above the platform, is not included in the calculation of **lot coverage**, if:

- (A) it is attached to or less than 0.3 metres from a **building**; and
- (B) the **lot area** covered by these **structures** is no more than 5% of the **lot area** [ By-law: PL130592 Mar\_2018 ]

#### 10.5.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings

In the Residential Zone category, if the portion of a **lot** covered by **lawfully existing buildings** or **structures** is greater than the permitted maximum **lot coverage**, the **lawful** portion of the **lot** covered by those **lawfully existing buildings** or **structures** is the maximum **lot coverage** for those **lawfully existing buildings** or **structures** on that **lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to **lawfully existing buildings** or **structures** referred to in regulation 10.5.30.41(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

#### 10.5.40 Principal Building Requirements

##### 10.5.40.1 General

(1) Application of this Article

The regulations in Article 10.5.40 apply to **buildings** or **structures** in the Residential Zone category, other than **ancillary buildings** or **structures** which are subject to Article 10.5.60.

(2) Building Requirements

Additional **building** requirements are in each zone in the Residential Zone category.

##### 10.5.40.10 Height

(1) Determining the Height of a Building

In the Residential Zone category, the height of a **building** is the distance between the **established grade** and the elevation of the highest point of the **building**.

(2) Height of Specific Structures on a Building

In the Residential Zone category, the following **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 1.5 metres:

- (A) antennae;
- (B) flagpoles;
- (C) parapets for a **green roof**;
- (D) satellite dishes; and
- (E) weather vanes.

(3) Height of Elements for Functional Operation of a Building

In the Residential Zone category, the following equipment and **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres, subject to regulation 10.5.40.10(4):

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment, except that skylights may only exceed the height by 1.0 metres; [ By-law: PL130592 Mar\_2018 ]
- (B) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above, if the **building** has a height greater than 15.0 metres.

(4) Height - Horizontal Limits on Elements for Functional Operation of a Building

In the Residential Zone category, equipment, **structures** or parts of a **building** that exceed the permitted maximum height for a **building** in regulation 10.5.40.10(3), must comply with the following:

- (A) their total area may cover no more than 30% of the area of the roof, measured horizontally; and

- (B) if they are located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**; and [ By-law: 1676-2013 ]

(5) First Floor Location Requirement

(deleted by OMB Order, March 1, 2018 - PL 130592) [ By-law: PL130592 Mar\_2018 ]

#### 10.5.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the Residential Zone category, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height for a **building**, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings - Height

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 10.5.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

(3) Alterations to the Roof of Lawfully Existing Buildings

Any alteration to the roof of a **lawfully existing building** referred to in regulation 10.5.40.11(1) may be constructed to the maximum height in regulation 10.5.40.11(1).

(4) Height of Main Walls for Lawfully Existing Buildings

In the Residential Zone category, if the **lawful** height of the exterior portion of the **main walls** of a **lawfully existing building** or **structure** is greater than the permitted maximum height for each respective pair of the following **main walls**, that **lawful** height is the maximum height for the exterior portion of the respective pair of **main walls** for that **lawfully existing building** or **structure**:

(A) the front and rear **main walls**; or

(B) the side **main walls**.

(5) Additions to Lawfully Existing Buildings - Height of Main Walls

Any new **main wall** of an addition or extension to a **lawfully existing building** or **structure** referred to in regulation 10.5.40.11(4) is subject to the **main wall** heights in regulation 10.5.40.11(4).

(6) Height of First Floor Above Established Grade for Lawfully Existing Buildings

In the Residential Zone category, if the **lawful** height of the **first floor** above **established grade** in a **lawfully existing building** is greater than the permitted maximum height of a first floor, that **lawful first floor** height is the maximum height for the **first floor** above **established grade** for that **lawfully existing building**.

(7) Additions to Lawfully Existing Buildings - Height of the First Floor Above Established Grade

Any addition or extension to a **lawfully existing building** referred to in regulation 10.5.40.11(6) may have a **first floor** above **established grade** up to the maximum height in regulation 10.5.40.11(6).

#### 10.5.40.20 Building Length

(1) Portion of Building to which Building Length Applies

In the Residential Zone category, **building length** regulations apply to all **main walls** of a **building** above and below-ground, excluding the footings for the **building**.

(2) Exclusion from Building Length

In the Residential Zone category, any part of a **building** or **structure** permitted to encroach into a required minimum **building setback** in Clause 10.5.40.60 is excluded from the calculation of **building length**.

#### 10.5.40.21 Building Length Exemptions

(1) Permitted Building Length for Lawfully Existing Buildings

In the Residential Zone category, if the **lawful building length** of a **lawfully existing building** is greater than the permitted maximum **building length**, that **lawful building length** is the maximum **building length** for that **lawfully existing building**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** referred to in regulation 10.5.40.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 10.5.40.30 Building Depth

(1) Portion of Building to which Building Depth Applies

In the Residential Zone category, **building depth** regulations apply to all **main walls** of a **building** above and below-ground, excluding the footings for the **building**.

(2) Exclusion from Building Depth

In the Residential Zone category, any part of a **building** or **structure** permitted to encroach into a required minimum **building setback** in Clause 10.5.40.60 is excluded from the calculation of **building depth**.

### 10.5.40.31 Building Depth Exemptions

(1) Permitted Building Depth for Lawfully Existing Buildings

In the Residential Zone category, if the **lawful building depth** of a **lawfully existing building** is greater than the permitted maximum **building depth**, that **lawful building depth** is the maximum **building depth** for that **lawfully existing building**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** referred to in regulation 10.5.40.31(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 10.5.40.40 Floor Area

(1) Inclusion of Attic Space as Gross Floor Area in a Residential Building Other Than an Apartment Building

In the Residential Zone category, the **gross floor area** of a **residential building**, other than an **apartment building**, includes the portion of the floor area in an attic that has a vertical clearance of more than 1.4 metres between the ceiling joists and the roof rafters, if at least 80% of the area has:

- (A) a vertical clearance of more than 2.0 metres; and
- (B) an area of at least 10.0 square metres. [ By-law: PL130592 Mar\_2018 ]

(2) Exclusion of Certain Floor Area in an Attic

If the floor area meets the conditions of regulation 10.5.40.40(1) and the area or portion of the area is used for mechanical equipment for the functional operation of the **building**, that area is not included in the **gross floor area** of the **building** if it is not more than 5% of the permitted maximum **gross floor area** of the **building** to a maximum of 20 square metres. [ By-law: PL130592 Mar\_2018 ]

(3) Gross Floor Area Calculations for a Residential Building Other Than an Apartment Building

In the Residential Zone category, the **gross floor area** of a **residential building**, other than an **apartment building**, may be reduced by:

- (A) the floor area of the **basement**; [ By-law: PL130592 Mar\_2018 ]
- (B) the area of a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum **gross floor area** for the **building**;
- (C) the area for a maximum of one **parking space** per **dwelling unit** in the **building**; and [ By-law: 89-2022 ]
- (D) in addition to (C) above, the area used for one additional **parking space** in a **detached house** on a **lot** with a **lot frontage** of more than 12.0 metres.

(4) Gross Floor Area Calculations for an Apartment Building

In the Residential Zone category, the **gross floor area** of an **apartment building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below **established grade**;
- (B) required **loading spaces** and required **bicycle parking spaces** at or above **established grade**;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) indoor **amenity space** required by this By-law;
- (F) elevator shafts;
- (G) garbage shafts;
- (H) mechanical penthouse; and
- (I) exit stairwells in the **building**.

(5) Floor Space Index Calculation

In the Residential Zone category, the floor space index:

- (A) for a **non-residential building**, is the result of the **gross floor area** of a **building** divided by the area of the **lot**;
- (B) for a **residential building**, other than an **apartment building**, is the result of the **gross floor area**, plus the area of an attic described in regulation 10.5.40.40(1) and subject to regulation 10.5.40.40(2) minus the areas listed in regulation 10.5.40.40(3), divided by the area of the **lot**; and
- (C) for an **apartment building**, is the result of the **gross floor area**, minus the areas of an **apartment building** listed in regulation 10.5.40.40(4), divided by the area of the **lot**.

#### 10.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the Residential Zone category, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index greater than the permitted maximum floor space index, the **lawful** floor space index resulting from those **lawfully existing buildings** on that **lot** is the maximum floor space index for those **lawfully existing buildings** on that **lot**.

#### 10.5.40.50 Decks, Platforms and Amenities

(1) Interpretation of Platform Walls

In the Residential Zone category, the exterior sides of a platform, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of a **building**, are not **main walls** if at least 50% of the exterior sides above the floor are open to the outside.

(2) Platforms in Relation to Building Setbacks

In the Residential Zone category, a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of a **building**, must comply with the required minimum **building setbacks** for the zone.

(3) Platforms at or Above the Second Storey of a Residential Building Other than an Apartment Building

In the Residential Zone category, the level of the floor of a platform, such as a deck or balcony, located at or above the second **storey** of a **residential building** other than an **apartment building**, may be no higher than 0.2 metres above the level of the floor of the **storey** from which it gains access.

[ By-law: PL130592 Mar\_2018 ]

(4) Platforms at or Below the First Storey of a Residential Building other than an Apartment Building

In the Residential Zone category, the level of the floor of a platform, such as a deck or balcony, permitted in accordance with (2) above and located at or below the first **storey** of a **residential building** other than an **apartment building**, may be no higher than 1.2 metres above the ground at any point below the platform, except where the platform is attached to or within 0.3 metres of:

- (A) a **front wall**, the floor of the platform may be no higher than 1.2 metres above **established grade**:

- (B) a side **main wall**, the floor of the platform may be no higher than the level of the floor from which it gains access; and
- (C) a rear **main wall**, any part of the platform floor located 2.5 metres or less from the rear **main wall** may be no higher than the level of the floor from which it gains access [ By-law: PL130592 Mar\_2018 ]

#### 10.5.40.60 Permitted Encroachments

##### (1) Platforms

Despite regulation 10.5.40.50(2), in the Residential Zone category, a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a **building**, are subject to the following:

- (A) in a **front yard**, a platform with a floor no higher than the first **storey** of the **building** above **established grade**:
  - (i) may encroach into the required **front yard setback** the lesser of 2.5 metres or 50% of the required **front yard setback**, if it is no closer to a **side lot line** than the required **side yard setback**; and
  - (ii) there may be enclosed space below this platform;
- (B) in a **front yard**, a platform with a floor higher than the first **storey** of the **building** above **established grade** may encroach into the required **front yard setback** the lesser of 1.5 metres or 50% of the required **front yard setback**, if it is no closer to a **side lot line** than the required **side yard setback**;
- (C) in a **rear yard**, a platform with a floor no higher than the first **storey** of the **building** above **established grade** may encroach into the required **rear yard setback** the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the greater of:
  - (i) 0.3 metres; or
  - (ii) a distance equal to the vertical distance between the highest part of the floor of the platform and the average elevation of the ground at the side of the platform;
- (D) in a **rear yard**, a platform with a floor higher than the first **storey** of the **building** above **established grade** may encroach into the required **rear yard setback** the lesser of 1.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the required **side yard setback** plus the vertical distance between the **first floor** of the **building** and the average elevation of the ground along the building's rear **main wall**;
- (E) in a **side yard**, a platform with a floor no higher than the first **storey** of the **building** above **established grade** may encroach into the required minimum **side yard setback** a maximum of 1.5 metres, if it is no closer to the **side lot line** than 0.3 metres; and
- (F) in a **side yard** a platform with a floor higher than the first **storey** of the **building** above **established grade**:
  - (i) may encroach into the required minimum **side yard setback** a maximum of 1.5 metres if the **side yard** abuts a **street**; and
  - (ii) may not encroach into a required minimum **side yard setback** if the **side yard** does not abut a **street**.

##### (2) Canopies and Awnings

In the Residential Zone category a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform which complies with regulation 10.5.40.60(1), are subject to the following:

- (A) a roof, canopy, awning or similar **structure** above a platform meeting the requirements of regulation 10.5.40.60(1) may encroach into a required minimum **building setback** to the same extent as the platform it is covering; and
- (B) a canopy, awning or similar **structure** that is not covering a platform may encroach into a required minimum **building setback**:
  - (i) in a **front yard** or **rear yard**, the lesser of 2.5 metres or 50% of the required minimum **building setback**, if it is no closer to a **side lot line** than the required minimum **side yard setback**; or
  - (ii) in a **side yard**, a maximum of 1.5 metres, if it is no closer to the **side lot line** than 0.3 metres.

##### (3) Exterior Stairs, Access Ramp and Elevating Device

In the Residential Zone category, exterior stairs, pedestrian access ramp and elevating device providing access to a **building** or **structure** may encroach into a required minimum **building setback** as follows:

- (A) exterior stairs, if the stairs are:

- (i) no longer than 1.5 horizontal units for each 1.0 vertical unit above the ground at the point where the stairs meet the **building** or **structure**;
- (ii) no wider than 2.0 metres; and
- (iii) no closer to a **lot line** than 0.6 metres;

(B) an uncovered ramp, if the ramp is:

- (i) no longer than 15 horizontal units for each 1.0 vertical unit above-ground at the point where the ramp meets the **building** or **structure**;
- (ii) no wider than 1.5 metres for each sloped ramp segment; and
- (iii) no closer to a **lot line** than 0.6 metres; and

(C) an elevating device, if the elevating device:

- (i) elevates no higher than the **first floor** of the **building**;
- (ii) has a maximum area of 3.0 square metres; and
- (iii) is no closer to a **lot line** than 0.6 metres.

(4) Exterior Main Wall Surface

In the Residential Zone category, cladding added to the original exterior surface of the **main wall** of a **building** may encroach into a required minimum **building setback** a maximum of 0.15 metres, if the added cladding is no closer to a **lot line** than 0.3 metres.

(5) Architectural Features

In the Residential Zone category, architectural features on a **building** must comply with the following:

- (A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it is no closer to a **lot line** than 0.3 metres; and
- (B) a chimney breast may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it:
  - (i) is no wider than 2.0 metres; and
  - (ii) is no closer to a **lot line** than 0.3 metres.

(6) Window Projections

In the Residential Zone category, a bay window, box window, or other window projection from a **main wall** of a **building**, which increases floor area or enclosed space and does not touch the ground, may encroach:

- (A) into a required minimum **front yard setback** or minimum **rear yard setback** a maximum of 0.75 metres, if the window projections in total do not occupy more than 65% of the width of the **front wall** or rear **main wall** at each **storey**; and
- (B) into a required minimum **side yard setback** a maximum of 0.6 metres, if the window projections:
  - (i) in total do not occupy more than 30% of the width of the side **main wall** at each **storey**; and
  - (ii) are no closer to the **side lot line** than 0.6 metres.

(7) Roof Projections

On a **building** in the Residential Zone category, roof projections must comply with the following:

- (A) a dormer projecting from the surface of a roof may not have any wall of the dormer closer to a **lot line** than the required minimum **building setback**; and
- (B) the eaves of a roof may encroach into a required minimum **building setback** a maximum of 0.9 metres, if they are no closer to a **lot line** than 0.3 metres.

(8) Equipment

In the Residential Zone category, the following wall mounted equipment on a **building** may encroach into required minimum **building setbacks** as follows, if the equipment is no closer to a **lot line** than 0.3 metres:

- (A) vents, pipes, or utility equipment, a maximum of 0.6 metres into a required minimum **rear yard setback** or minimum **side yard setback**;
- (B) satellite dish, a maximum of 0.9 metres into any required minimum **building setback**;
- (C) antenna, or a pole used to hold an antenna, a maximum of 0.9 metres into any required minimum **rear yard setback** or minimum **side yard setback**; and

(D) air conditioner, a maximum of 0.9 metres:

- (i) into a required minimum **rear yard setback**; and
- (ii) into a required minimum **side yard setback** if it is not located above the first **storey**.

#### 10.5.40.70 Setbacks

(1) Front Yard Setback - Averaging

In the Residential Zone category, if a **lot** is:

- (A) beside one **lot** in the Residential Zone category, and that abutting **lot** has a **building** fronting on the same **street** and that **building** is, in whole or in part, 15.0 metres or less from the subject **lot**, the required minimum **front yard setback** is the **front yard setback** of that **building** on the abutting **lot**; and
- (B) between two abutting **lots** in the Residential Zone category, each with a **building** fronting on the same **street** and those **buildings** are both, in whole or in part, 15.0 metres or less from the subject **lot**, the required minimum **front yard setback** is the average of the **front yard setbacks** of those **buildings** on the abutting **lots**.

(2) Building or Structure to be Set Back from a Lane

A **building** or **structure** in the Residential Zone category may be no closer than 2.5 metres from the original centreline of a **lane**.

#### 10.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the Residential Zone category, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

- (A) a **front lot line**, that **lawful building setback** is the minimum **front yard setback** for that **lawfully existing building** or **structure**;
- (B) a **rear lot line**, that **lawful building setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; and
- (C) a **side lot line**, that **lawful building setback** is the minimum **side yard setback** for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 10.5.40.71(1) must comply with the required minimum **building setbacks** or be authorized by a Section 45 Planning Act minor variance.

(3) Additions Above Lawfully Existing Buildings on Specified Lots

Despite regulation 10.5.40.71(2), on a **lot** with a **lot frontage** of 12.2 metres or less, the required minimum **building setback** for any addition or extension above a **lawfully existing building** or **structure** referred to in regulation 10.5.40.71(1) is the minimum **building setback** from the respective **lot line** permitted by regulation 10.5.40.71(1).

(4) Additions to the Rear or Side of Lawfully Existing Buildings on Specified Lots

Despite regulation 10.5.40.71(2), the required minimum **building setback** from a **side lot line** for any addition or extension to the rear or the side of a **lawfully existing building** or **structure** referred to in regulation 10.5.40.71(1), on a **lot** with a **lot frontage** of:

- (A) less than 9.0 metres, is the minimum **side yard setback** permitted by regulation 10.5.40.71(1); or
- (B) 9.0 metres to 12.2 metres, is the greater of:
  - (i) 50% of the required minimum **side yard setback**; or
  - (ii) the minimum **side yard setback** permitted by regulation 10.5.40.71(1).

(5) Permitted Setbacks for Lawfully Existing Buildings from a Lane

In the Residential Zone category, if the **lawful** distance of a **lawfully existing building** or **structure** from the original centreline of a **lane** is less than the minimum distance from the original centreline of the **lane** required by this By-law, that **lawful** distance is the minimum distance from the original centreline of the **lane** for that **lawfully existing building** or **structure**.



(6) Additions Above Lawfully Existing Buildings in Relation to a Lane

The minimum distance from the original centreline of a **lane** for any addition or extension above a **lawfully existing building or structure** referred to in regulation 10.5.40.71(5) is the minimum distance from the original centreline of the **lane** permitted by regulation 10.5.40.71(5).

## 10.5.50 Yards

### 10.5.50.10 Landscaping

(1) Front Yard Landscaping for Certain Types of Residential Buildings

In the Residential Zone category, on a **lot** with a **detached house**, **semi-detached house**, **duplex**, **triplex**, **fourplex** or **townhouse**, the following **front yard landscaping** regulations apply:

- (A) for **lots** with a **lot frontage** less than 6.0 metres, or a **townhouse dwelling unit** less than 6.0 metres wide, the **front yard**, excluding a permitted **driveway** or permitted parking pad must be **landscaping**; [ By-law: 1429-2017 ]
- (B) for **lots** with a **lot frontage** of 6.0 metres to less than 15.0 metres, or a **townhouse dwelling unit** at least 6.0 metres wide, a minimum of 50% of the **front yard** must be **landscaping**;
- (C) for **lots** with a **lot frontage** of 15.0 metres or greater, a minimum of 60% of the **front yard** must be **landscaping**; and
- (D) a minimum of 75% of the **front yard landscaping** required in (A), (B), and (C) above, must be **soft landscaping**, and if a **lot** does not have a permitted **driveway** in the **front yard**, a minimum of 75% of the **front yard** must be **soft landscaping**.  
[ By-law: 1675-2013 ]

(2) Side Yard Landscaping for Certain Types of Residential Buildings on Corner Lots

In the Residential Zone category, a **corner lot** with a **detached house**, **semi-detached house**, **duplex**, **triplex**, **fourplex** or **townhouse** must have:

- (A) a minimum of 60% of the **side yard** abutting a **street** for **landscaping**; and
- (B) a minimum of 75% of the **side yard landscaping** required in (A), above, must be **soft landscaping**.

(3) Rear Yard Soft Landscaping for Residential Buildings Other Than an Apartment Building

In the Residential Zone category, a **lot** with a **residential building**, other than an **apartment building**, must have:

- (A) a minimum of 50% of the **rear yard** for **soft landscaping**, if the **lot frontage** is greater than 6.0 metres; and
- (B) a minimum of 25% of the **rear yard** for **soft landscaping**, if the **lot frontage** is 6.0 metres or less.

(4) Landscaping Requirement for an Apartment Building

In the Residential Zone category, a **lot** with an **apartment building** must have:

- (A) a minimum of 50% of the area of the **lot** for **landscaping**; and
- (B) a minimum of 50% of the **landscaping** area required in (A), above, must be **soft landscaping**.

(5) Landscaping Requirement for an Apartment Building Abutting Another Residential Lot

In the Residential Zone category, a **lot** with an **apartment building** must have a minimum 1.5 metre wide strip of **soft landscaping** along any part of a **lot line** abutting another **lot** in the Residential Zone category.

(6) Landscaping Exclusion for Permitted Encroachments

In the Residential Zone category, the calculation of **landscaping** or **soft landscaping** regulation 10.5.50.10(1), (2), (3) and (4), excludes the area of the required minimum **building setback** covered by any part of a **building or structure** which is permitted to encroach into a required minimum **building setback** by Clause 10.5.40.60.

(7) Swimming Pools or Similar Ancillary Structures Containing Water Deemed to be Soft Landscaping for Specified Regulations

In the Residential Zone category, for the calculation of **soft landscaping** required by regulation 10.5.50.10(3) and (4), the area of **soft landscaping** includes the water surface area of outdoor swimming pools or other **ancillary structures** used to hold water, such as fountains or artificial ponds.

## 10.5.60 Ancillary Buildings and Structures

### 10.5.60.1 General

(1) Application of this Article

The regulations in Article 10.5.60 apply to **ancillary buildings** or **structures** in the Residential Zone category, if they are **ancillary** to **dwelling units** or **residential buildings**.

(2) Living Accommodation in Ancillary Buildings

An **ancillary building** in the Residential Zone category may not be used for living accommodation.

(3) Food or Sanitary Facilities in Ancillary Buildings

An **ancillary building** in the Residential Zone category may have:

- (A) food preparation facilities and sanitary facilities if the **ancillary building** is for indoor **amenity space** required by this By-law; or
- (B) either food preparation facilities or sanitary facilities, but not both, if the **ancillary building** is used for any purpose other than an indoor **amenity space** required by this By-law.

(4) Ancillary Building or Structure Construction Timing

In the Residential Zone category, no above-ground part of an **ancillary building** or **structure** may be erected prior to the erection of the **main walls** and completion of the roof of a **residential building** on the same **lot**.

### 10.5.60.10 Location

(1) Ancillary Buildings or Structures Not Permitted in Front Yard

An **ancillary building** or **structure** in the Residential Zone category may not be located in a **front yard**.

### 10.5.60.20 Setbacks

(1) Parts of an Ancillary Building or Structure to which a Required Building Setback Applies

In the Residential Zone category, required minimum **ancillary building setbacks** apply to all parts of an **ancillary building** or **structure** above-ground and below-ground, excluding footings.

(2) Ancillary Buildings or Structures - Rear Yard Setback

Subject to regulation 10.5.60.20(5), in the Residential Zone category:

- (A) if an **ancillary building** or **structure** is on a **through lot**, and a **residential building** on an adjacent **lot** fronts on the **street** that abuts the **rear lot line** of the **through lot**, the required minimum **rear yard setback** for the **ancillary building** or **structure** is equal to the required minimum **front yard setback** for the **residential building** on the adjacent **lot**;
- (B) if an **ancillary building** or **structure** is on a **lot** with a **lot depth** greater than 45 metres, and its height is greater than 2.5 metres or its floor area is greater than 10 square metres, the required minimum **rear yard setback** for the **ancillary building** or **structure** is equal to half the height of the **ancillary building** or **structure**; and
- (C) in cases other than those set out in (A) or (B) above, the required minimum **rear yard setback** for **ancillary buildings** or **structures** is 0.3 metres.

(3) Ancillary Buildings or Structures - Side Yard Setback

Subject to regulations 10.5.60.20(6) and (7), in the Residential Zone category, the required minimum **side yard setback** for an **ancillary building** or **structure**:

- (A) in a **side yard**, is the required minimum **side yard setback** for the **residential building** on the **lot**;
- (B) in a **rear yard** and less than 1.8 metres from the **residential building** on the **lot**, is the same as the required minimum **side yard setback** for the **residential building**; and
- (C) in a **rear yard** and 1.8 metres or more from the **residential building** on the **lot**, is as follows:
  - (i) if it is on a **corner lot**, and a **residential building** on an adjacent **lot** fronts on the **street** that abuts the **side lot line** of the **corner lot**, the **ancillary building** or **structure** must be set back from the **side lot line** that abuts the **street** a distance equal to the required minimum **front yard setback** for the **residential building** on the adjacent **lot**;

- (ii) if it is on a **lot** with a required minimum **lot frontage** of 21.0 metres or more, and its height is greater than 2.5 metres or its floor area, is greater than 10 square metres, the required minimum **side yard setback** is equal to half the height of the **ancillary building or structure**; and
- (iii) in cases other than those set out in (i) and (ii) above, the required minimum **side yard setback** is 0.3 metres.

(4) Ancillary Building or Structure - Setback from a Lane

Despite regulations 10.5.60.20(2), (3) and (5) to (11), an **ancillary building or structure** in the Residential Zone category may be no closer than 2.5 metres from the original centreline of a **lane**.

(5) Detached Private Garages - Rear Yard Setback

In the Residential Zone category, the required minimum **rear yard setback** for an **ancillary building or structure** containing a **parking space** must comply with regulation 10.5.60.20(2), except:

- (A) if the **rear lot line** abuts a **lane** and **vehicle** access to the **parking space** in the **ancillary building** is from the **lane**, the required minimum **rear yard setback** is 1.0 metres, subject to regulation 10.5.60.20(4); and
- (B) if it is on a **through lot**, and **vehicle** access is from the **street** abutting the **rear lot line**, the required minimum **rear yard setback** is the greater of:
  - (i) the required minimum **front yard setback** for a **residential building** on the adjacent **lot** that fronts on the same **street** that the **rear lot line** abuts; or
  - (ii) 6.0 metres.

(6) Detached Private Garages - Side Yard Setback

In the Residential Zone category, the required minimum **side yard setback** for an **ancillary building or structure** containing a **parking space** must comply with regulation 10.5.60.20(3), except:

- (A) if a **side lot line** abuts a **lane**, and **vehicle** access to the **parking space** is from the **lane**, the required minimum **building setback** from that **side lot line** is 1.0 metres, subject to regulation 10.5.60.20(4); and
- (B) if it is on a **corner lot**, and **vehicle** access is from the **street** abutting the **side lot line**, the required minimum **side yard setback** is 6.0 metres.

(7) Detached Private Garages Situated on More than One Lot

Despite regulation 10.5.60.20(3) and (6), if an **ancillary building or structure** contains **parking spaces** for **dwelling units** on abutting **lots** in the Residential Zone category, it may be located on the common **side lot line**. [ By-law: 89-2022 ]

(8) Swimming Pools or Similar Ancillary Structures Containing Water - Rear Yard Setback

Despite regulation 10.5.60.20(2), in the Residential Zone category, the required minimum **rear yard setback** for an outdoor swimming pool or other **ancillary structure** used to hold water, such as a fountain or artificial pond, is as follows:

- (A) on a **lot** with a **residential building** other than an **apartment building**:
  - (i) 25.0 metres, if it is a **through lot** and if an adjacent **lot** fronts on the **street** abutting the **rear lot line** of the **through lot**;
  - (ii) 3.0 metres, if it is a **corner lot** and if an adjacent **lot** fronts on the **street** abutting the **side lot line** of the **corner lot**;
  - (iii) 1.2 metres in all other cases; and
  - (iv) no minimum **rear yard setback** is required if the water surface area is 1.0 square metres or less; and
- (B) on a **lot** with an **apartment building**:
  - (i) 7.5 metres, if it is a **through lot**;
  - (ii) 4.5 metres in all other cases; and
  - (iii) no minimum **rear yard setback** is required if the water surface area is 3.0 square metres or less.

(9) Swimming Pools or Similar Ancillary Structures Containing Water - Side Yard Setback

Despite regulation 10.5.60.20(3), in the Residential Zone category, the required minimum **side yard setback** for an outdoor swimming pool or other **ancillary structure** used to hold water, such as a fountain or artificial pond, is as follows:

- (A) on a **lot** with a **residential building** other than an **apartment building**:

- (i) the greater of 1.2 metres or the **side yard setback** required by regulation 10.5.60.20(3);
  - (ii) if it is a **corner lot**, the required minimum **side yard setback** for the **residential building**, plus 1.5 metres, from the **side lot line** abutting a **street**; and
  - (iii) no minimum **side yard setback** is required if the water surface area is 1.0 square metres or less; and
- (B) on a **lot** with an **apartment building**:
- (i) 4.5 metres;
  - (ii) if it is a **corner lot**, 7.5 metres from the **side lot line** abutting a **street**; and
  - (iii) no minimum **side yard setback** is required if the water surface area is 3.0 square metres or less.

(10) Ground Mounted Heating or Air-Conditioning Devices - Front Yard Setbacks and Side Yard Setbacks

In the Residential Zone category, for a heating or air-conditioning device that is mounted on the ground:

- (A) despite regulation 10.5.60.10(1), the device may be located in a **front yard**, if it is at least 6.0 metres from the **front lot line**; and
- (B) despite regulation 10.5.60.20(3)(A), the device may be in a **side yard**, if it is no closer to the **side lot line** than the lesser of:
  - (i) 0.9 metres; or
  - (ii) the required minimum **side yard setback** for the **residential building** on the **lot**.

(11) Open Platforms - Rear Yard Setbacks and Side Yard Setbacks

Despite regulation 10.5.60.20(2) and (3), in the Residential Zone category, the required minimum **rear yard setback** and **side yard setback** for a platform, such as a deck or similar **structure**, with a minimum of 50% of the total area of its exterior sides above the platform's floor open to the outside, and that is located no closer to the **residential building** on the **lot** than 0.3 metres, is the greater of:

- (A) 0.3 metres; or
- (B) a distance equal to the highest vertical distance between any part of the floor of the platform and the ground below it.

### 10.5.60.30 Separation

(1) Minimum Separation Between Residential Buildings and Ancillary Buildings or Structures of a Certain Size

In the Residential Zone category, an **ancillary building** or **structure** with a height greater than 2.5 metres, or a **gross floor area** greater than 10 square metres, must be at least 1.8 metres from a **residential building** on the same **lot**.

(2) Maximum Separation Between Residential Buildings and Ground Mounted Heating or Air-Conditioning Devices in a Rear Yard

A heating or air-conditioning device that is mounted on the ground in the **rear yard** of a **lot** in the Residential Zone category may be no more than 2.0 metres from the rear **main wall** of the **residential building**.

### 10.5.60.40 Height

(1) Determining the Height of Ancillary Buildings or Structures

In the Residential Zone category, the height of an **ancillary building** or **structure** is the distance between **average grade** and the elevation of the highest point of the **ancillary building** or **structure**.

(2) Maximum Height of Ancillary Buildings or Structures

The permitted maximum height of an **ancillary building** or **structure** in the Residential Zone category is:

- (A) 2.5 metres, if the **ancillary building** or **structure** is located less than 1.8 metres from the **residential building** on the **lot**; and
- (B) 4.0 metres in all other cases.

(3) Maximum Storeys for Ancillary Buildings or Structures

An **ancillary building** or **structure** in the Residential Zone category may not have more than one **storey**.

(4) Entrances to Ancillary Buildings or Structures

The permitted maximum height of the top of an entrance into an **ancillary building** or **structure** in the Residential Zone category is 2.5 metres above the average elevation of the ground along the entrance to the **ancillary building** or **structure**.

(5) Height Restrictions for Platforms

In the Residential Zone category, a platform, such as a deck or similar **structure**, other than a **green roof**, may not be:

- (A) located on top of any **ancillary building**; and
- (B) attached to an **ancillary building** or **structure** containing a **parking space**, if the platform is more than 1.2 metres above the ground at any point below the platform.

#### 10.5.60.50 Floor Area

(1) Exclusion from Floor Space Index

In the Residential Zone category, the **gross floor area** of **ancillary buildings** is not included for the purpose of calculating the total **gross floor area** and floor space index for a **lot**.

(2) Maximum Floor Area of Ancillary Buildings or Structures

The total floor area of all **ancillary buildings** or **structures** on a **lot** in the Residential Zone category, other than an outdoor swimming pool or other **structure** used to hold water, must not be greater than:

- (A) 60.0 square metres for a **lot** with a **lot frontage** of 12.0 metres or more; and
- (B) 40.0 square metres in all other cases.

(3) Maximum Floor Area of an Ancillary Building or Structure Close to a Residential Building on the Same Lot

In the Residential Zone category, the permitted maximum floor area of an **ancillary building** or **structure** located less than 1.8 metres from a **residential building** on the **lot** is 10.0 square metres.

#### 10.5.60.60 Permitted Encroachments

(1) Roof Projections for Ancillary Buildings

In the Residential Zone category, the eaves of a roof on an **ancillary building** may encroach into the required minimum **building setback** in Clause 10.5.60.20 a maximum of 0.3 metres, if the eaves are no closer to a **lot line** than 0.15 metres.

#### 10.5.60.70 Lot Coverage

(1) Lot Coverage Requirement for Ancillary Buildings and Structures

An **ancillary building** or **structure** on a **lot** in the Residential Zone category, other than the water surface area of an outdoor swimming pool or other **ancillary structure** used to hold water, such as fountains or artificial ponds:

- (A) is included in the overall calculation of **lot coverage**; and
- (B) the area of the **lot** covered by all **ancillary buildings** and **structures** may not exceed 10% of the **lot area**.

(2) Lot Coverage Requirement for Swimming Pools or Similar Ancillary Structures Containing Water

In the Residential Zone category, the water surface area of an outdoor swimming pool or other **structure** used to hold water, such as fountains or artificial ponds:

- (A) is not included in the calculation of **lot coverage**; and
- (B) the water surface area may not exceed 15% of the **lot area**.

#### 10.5.75 Energy Regulations

##### 10.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device

In the Residential Zone category, a device producing **renewable energy** or **cogeneration energy** may not be in a **front yard** or a **side yard** that abuts a **street**.

(2) Cogeneration Energy Device

In the Residential Zone category, a **cogeneration energy** device must be inside a permitted **building**.

(3) Geo-energy Device

In addition to regulation 10.5.75.1(1), in the Residential Zone category any above-ground part of a **geo-energy** device must comply with the requirements for:

- (A) a **building** or **structure** on the **lot**; or
- (B) an **ancillary building** or **structure**, if it is on a **lot** with a **residential building**.

(4) Solar Energy Device

In the Residential Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

- (A) on a **building**:
  - (i) must comply with the required minimum **building setbacks** for a **building** on the **lot**; and
  - (ii) no part of the device may be higher than:
    - (a) 1.2 metres above the permitted maximum height for any **residential building** other than an **apartment building**; or
    - (b) 2.0 metres above the permitted maximum height for an **apartment building** or **non-residential building**; and
- (B) ground mounted, must comply with the requirements for:
  - (i) a **building** or **structure** on the **lot**; and
  - (ii) an **ancillary building** or **structure**, if it is on a **lot** with a **residential building**.

(5) Wind Energy Device

In the Residential Zone category, a **wind energy** device must comply with the following:

- (A) there may be no more than one **wind energy** device on a **lot**;
- (B) all parts of a **wind energy** device on a **lot** must comply with the required minimum **building setbacks** for a **building** on the **lot**;
- (C) on a **lot** with a **residential building** other than an **apartment building**, no part of a **wind energy** device may be higher than 2.5 metres above the permitted maximum height for the **building**; and
- (D) on a **lot** with an **apartment building** or **non-residential building**, no part of a **wind energy** device may be higher than:
  - (i) 3.0 metres above the permitted maximum height for the **building** if:
    - (a) the permitted maximum height for the **building** is less than 24.0 metres; or
    - (b) the **lot** abuts another **lot** in the Residential Zone category; and
  - (ii) in all other cases, 5.0 metres above the permitted maximum height for the **building**.

## 10.5.80 Parking

### 10.5.80.1 General

(1) Use of Required Parking Space

A **parking space** required by this By-law for a use in the Residential Zone category must be available for the use for which it is required.

(2) Ancillary Outdoor Area for Parking

In the Residential Zone category, a **lot** with a **residential building** other than a **detached house**, **semi-detached house** or a **duplex**, may have an **ancillary** outdoor area used for the parking or storing of more than 3 **vehicles** if:

- (A) no portion of the **ancillary** outdoor area is closer to a **residential building** on the same **lot** than 6.0 metres;
- (B) the **ancillary** outdoor area is fenced, excluding the portions used for **vehicle** or pedestrian access;

- (C) the surface area used for the parking or storing of **vehicles** is no closer to a fence than 1.5 metres;
- (D) the **ancillary** outdoor area is no closer to a **lot line** that abuts a **street** than the greater of:
  - (i) 6.0 metres; or
  - (ii) the distance that a **residential building** on an adjoining **lot** is set back from its **lot line** abutting the same **street**; and
- (E) there is no more than one **ancillary building** for parking attendants and it:
  - (i) has a maximum height of 3.0 metres;
  - (ii) has a maximum floor area of 5.0 square metres; and
  - (iii) is no closer to any **lot line** abutting a **street** than 6.0 metres.

(3) Charging for Visitor Parking

(Deleted by LPAT Order PL130592, March 16, 2020) [ By-law: LPAT PL130592 March 16, 2020 ]

### 10.5.80.10 Location

(1) Location of Required Parking Spaces

In the Residential Zone category, a **parking space** must be on the same **lot** as the use for which the **parking space** is required.

(2) Parking Space Location for Apartment Buildings

In the Residential Zone category, a minimum of 50 percent of the **parking spaces** for an **apartment building**, other than required visitor **parking spaces**, must be in a **building** or underground **structure**. [ By-law: 89-2022 ]

(3) Street Yard Parking Space

In the Residential Zone category, a **parking space** may not be in a **front yard** or a **side yard** abutting a **street**. This regulation does not apply if a **parking space** in the **front yard** is permitted by the City of Toronto under the authority of the City of Toronto Act, 2006, or its predecessor.

(4) Parking in the Front Yard

In the Residential Zone category, for a **detached house**, a **semi-detached house**, or a **duplex**, and for an individual **townhouse dwelling unit** where a private **driveway** leads directly to the **dwelling unit**, **vehicles** may be parked on the private portion of the **driveway** leading to a **parking space**.

(5) Parking Space for a Secondary Suite

Despite regulation 10.5.80.10(3), in the Residential Zone category a **parking space** for a **secondary suite** may be in the **front yard** if it is on a **driveway**. [ By-law: 89-2022 ]

(6) Corner Lot Parking Space Location

On a **corner lot** in the Residential Zone category, a **parking space** must be:

- (A) in a **building** or **structure**;
- (B) in a **rear yard**; or
- (C) in a **side yard** that does not abut a **street**.

(7) Rear Yard Parking Spaces

In the Residential Zone category, on a **lot** with a **detached house**, a **semi-detached house** or a **duplex**, a maximum of 2 **parking spaces** may be located outside in the **rear yard**.

(8) Parking Spaces for Storing Recreational Vehicles

A maximum of two **parking spaces** on a **lot** in the Residential Zone category may be used for recreational **vehicles**, if:

- (A) there is no more than one camper trailer or one boat trailer; and
- (B) the recreational **vehicles** are stored in:
  - (i) a **building**; or
  - (ii) a **parking space** in the area of the **rear yard** which is not required for **soft landscaping**.

(9) Commercial Vehicle Parking Restriction

A **parking space** in the Residential Zone category may be used for a commercial **vehicle**, if:

- (A) an owner or tenant of a **dwelling unit** on the **lot** is the owner or operator of the **vehicle**; and
- (B) it is within a wholly enclosed **building**.

(10) Commercial Vehicle Parking Not Permitted in Yards

A **parking space** located outside of a **building** in the Residential Zone category may not be used for:

- (A) commercially licensed **vehicles**;
- (B) construction **vehicles**;
- (C) dump trucks;
- (D) agricultural **vehicles**;
- (E) repair or towing **vehicles**;
- (F) tracked **vehicles**;
- (G) **vehicles** with a traction engine;
- (H) **vehicles** designed to run only on rails; and
- (I) **vehicles** equipped with more than six wheels, excluding spare wheels.

### 10.5.80.11 Location Exemptions

(1) Lawfully Existing Front Yard Parking Spaces

In the Residential Zone category, if a **lawfully existing building** has one or two **lawful parking spaces** on a **driveway** in the **front yard**, regulation 10.5.80.10(3) does not apply so long as those **parking spaces** remain.

(2) Side-by-Side Front Yard Parking Spaces on a Lawfully Existing Driveway

If a **lot** with a **lawfully existing detached house** or **lawfully existing semi-detached house** in the Residential Zone category has a **lawfully existing driveway** that is wider than permitted by regulation 10.5.100.1(1) and it leads to only one **parking space** behind the main front **main wall**, two **parking spaces** may be located side-by-side on that **driveway** in the **front yard** if the **driveway** width does not exceed 6.0 metres.

(3) Front Yard Parking Spaces Authorized Under the City of Toronto Act

If a **lawfully existing lot** in the Residential Zone category has a **lawfully existing building** and the required **parking spaces** cannot be located where required by this By-law, those **parking spaces** may be entirely or partially in the **front yard** of that **lot** if approval is given under the City of Toronto Act, 2006, as amended.

### 10.5.80.30 Separation

(1) Parking Space Separation from Apartment Building

In the Residential Zone category, a surface **parking space** must be at least 3.0 metres from all **main walls** of an **apartment building**.

### 10.5.80.40 Access to Parking Space

(1) Maximum Width of Garage Entrance in Front Wall on Certain Lots

In the Residential Zone category, for a **lot** with a **detached house** or a **semi-detached house**, if the required minimum **lot frontage** is less than 24.0 metres, the maximum combined width of all **vehicle** entrances through the front **main wall** of the **residential building** is 6.0 metres.

(2) Elevation of Garage Entrance in Certain Types of Residential Buildings

In the Residential Zone category, for a **detached house** or **semi-detached house**, and for an individual **townhouse dwelling unit** where an individual private **driveway** leads directly to the **dwelling unit**, the elevation of the lowest point of a **vehicle** entrance in a **main wall** of the **building** must be higher than the elevation of the centreline of the **driveway** at the point where it intersects a **lot line** abutting a **street**.

(3) Parking Space Access on a Lot

In the Residential Zone category, **vehicle** access to a **parking space** on a **lot** must:

- (A) be from the **lane**, if the **lot** abuts a **lane**;



- (B) be from a flanking **street** that is not a major **street** on the Policy Areas Overlay Map, if the **lot** does not abut a **lane**; and
- (C) in all other cases, may be from the **street** on which the **lot** fronts. [ By-law: PL130592 Mar\_2018 ]

## 10.5.100 Access to Lot

### 10.5.100.1 General

#### (1) Driveway Width in the Front Yard for Certain Residential Building Types

In the Residential Zone category, in addition to meeting the **landscaping** requirements in regulation 10.5.50.10, for a **detached house**, **semi-detached house**, or **duplex**, and for an individual **townhouse dwelling unit** if an individual private **driveway** leads directly to the **dwelling unit**, a **driveway** that is in the **front yard** or passes through the **front yard** may have the following dimensions in the **front yard**:

- (A) a minimum width of 2.0 metres;
- (B) for **lots** with a **lot frontage** less than 6.0 metres, or a **townhouse dwelling unit** less than 6.0 metres wide, a maximum width of 2.6 metres;
- (C) for **lots** with a **lot frontage** of 6.0 metres to 23.0 metres inclusive, or a **townhouse dwelling unit** at least 6.0 metres wide, a maximum **driveway** width the lesser of:
  - (i) 6.0 metres;
  - (ii) the cumulative width of side-by-side **parking spaces** behind the front **main wall**, but not in the **rear yard**; or
  - (iii) the width of a single **parking spaces** behind the front **main wall**, but not in the **rear yard**; or
  - (iv) 2.6 metres if all **parking spaces** are in the **rear yard**; and
- (D) for **lots** with a **lot frontage** greater than 23.0 metres, a maximum **driveway** width the lesser of:
  - (i) 9.0 metres;
  - (ii) the cumulative width of side-by-side **parking spaces** behind the front **main wall** if there is at least one **parking space** behind the front **main wall** but not in the **rear yard**; or
  - (iii) 2.6 metres if all **parking spaces** are in the **rear yard**.

#### (2) Driveway Width Other Than Through the Front Yard for Certain Residential Building Types

In the Residential Zone category, for a **detached house**, **semi-detached house**, or **duplex**, and for an individual **townhouse dwelling unit** if an individual private **driveway** leads directly to the **dwelling unit**, a **driveway** that is not in the **front yard** or does not pass through the **front yard** may have the following dimensions:

- (A) a minimum width of 2.0 metres; and
- (B) a maximum width the lesser of:
  - (i) 6.0 metres; or
  - (ii) the width of the **parking spaces**.

#### (3) Driveway Width for Triplex, Fourplex and Certain Types of Townhouse

In the Residential Zone category, for a **triplex** or **fourplex**, and for a **townhouse** if an individual private **driveway** does not lead directly to an individual **dwelling unit**, a **driveway** may have:

- (A) a minimum width of 2.0 metres for each **lane**; and
- (B) a maximum total width of 6.0 metres.

#### (4) Driveway Width for Apartment Buildings

For an **apartment building** in the Residential Zone category, a **driveway** may have:

- (A) a minimum width of 3.0 metres for each **lane**; and
- (B) a maximum total width of 6.0 metres.

#### (5) Driveway Access to Apartment Buildings

If an **apartment building** in the Residential Zone category has 25 **dwelling units** or more, an unobstructed **vehicle** access must be provided between the **street** and the principal pedestrian entrance to the **building** so that a **vehicle** can enter and leave the **lot** while driving forward in one continuous movement.

(6) Driveway with Two Points of Access to the Same Street

A **lot** in the Residential Zone category may have a **driveway** with two points of **vehicle** access to the same **street**, if:

- (A) the **lot** has a **lot frontage** greater than 18.0 metres; and
- (B) the **front yard landscaping** complies with Clause 10.5.50.10.

(7) Hammerhead Turnaround Driveway Permitted on Certain Lots

In the Residential Zone category, a **lot** with a **residential building**, other than an **apartment building** with 25 or more **dwelling units**, may have a **driveway** with a hammerhead turnaround, if the **lot** complies with the **front yard landscaping** requirements of Clause 10.5.50.10 and:

- (A) the **lot** has a **lot frontage** greater than 18.0 metres; or
- (B) **vehicle** access is from a **street** with a minimum right-of-way width of 27.0 metres.

(8) Hammerhead Turnaround Driveway Dimensions

In the Residential Zone category, a hammerhead turnaround must:

- (A) have a maximum width of 3.0 metres;
- (B) extend no more than 4.5 metres from one edge of the **driveway**; and
- (C) extend no more than 3.0 metres from each opposite edge of the **driveway**.

## 10.5.150 Waste

### 10.5.150.1 General

(1) Waste and Recyclable Materials Storage for an Apartment Building

For an **apartment building** in the Residential Zone category, all waste and **recyclable material** must be stored in a wholly enclosed **building**, if the **apartment building** is constructed pursuant to a building permit issued more than three years after May 9, 2013.

## 10.10 Residential Zone ( R )

### 10.10.1 General

#### 10.10.1.10 Interpretation

(1) Application of This Section

The regulations in Section 10.10 apply to all lands, uses, **buildings** and **structures** in the R zone.

### 10.10.20 Permitted Uses

#### 10.10.20.10 Permitted Use

(1) Use - R Zone

The following uses are permitted in the R zone:

**Dwelling Unit** in a permitted **residential building** type in Clause 10.10.20.40.

**Municipal Shelter**

**Park** [ By-law: 545-2019 ]

#### 10.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions R Zone

The following uses are permitted in the R zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.10.20.100:

Ambulance Depot (1)

**Cogeneration Energy** (2)

**Community Centre** (3)

**Day Nursery** (4)

Fire Hall (1)

**Garden Suite** (20)

**Group Home** (5)

**Home Occupation** (6)

**Laneway Suite** (19)

Library (3)

**Place of Worship** (8)

Police Station (1)

**Private Home Daycare** (9)

**Public Utility** (10, 11)

**Renewable Energy** (2)

**Retail Store** (12)

Rooming House (13)

**Secondary Suite** (14)

**Seniors Community House** (15)

**Short-term Rental** (18)

**Tourist Home** (16)

**Transportation Use** (17)

[By-law: 1453-2017] [By-law: 545-2019] [By-law 1092-2021] [ By-law: 101-2022 ]

#### 10.10.20.40 Permitted Building Types

(1) Permitted Residential Building Types - R Zone

In the R zone, a **dwelling unit** is permitted in the following **residential building** types:

- (A) **Detached House;**
- (B) **Semi-Detached House;**
- (C) **Townhouse;**
- (D) **Duplex;**
- (E) **Triplex;**
- (F) **Fourplex;** and
- (G) **Apartment Building.**

#### 10.10.20.100 Conditions

(1) Ambulance Depot, Fire Hall or Police Station

In the R zone, an ambulance depot, a fire hall or a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production

In the R Zone, **cogeneration energy** production or **renewable 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.

(3) Community Centre or Library

In the R zone, a **community centre** or a library must be operated by, or on behalf of, the City of Toronto.

(4) Day Nursery

A **day nursery** in the R zone must comply with the specific use regulations in Section 150.45.

(5) Group Home

A **group home** in the R zone must comply with the specific use regulations in Section 150.15.

(6) Home Occupation

A **home occupation** in the R zone must comply with the specific use regulations in Section 150.5.

(8) Place of Worship

In the R zone, a **place of worship** must:

- (A) comply with the specific use regulations in Section 150.50;
- (B) be on a **lot** with a **lot frontage** of at least 30 metres; and
- (C) be in a **building** that is or was originally constructed as a **place of worship**.

(9) Private Home Daycare

A children's play area for a **private home daycare** in the R zone:

- (A) must be fenced; and
- (B) may not be located in the **front yard** or a **side yard** abutting a **street**.

(10) Public Utility

In the R zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(11) Public Utility

In the R zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the R zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(12) Retail Stores in Apartment Buildings

In the R zone, a **retail store** may be in an **apartment building** with 100 or more **dwelling units**, subject to the following:

- (A) there may be only one **retail store** in the **apartment building**;
- (B) it may not be above the first **storey** of the **apartment building**;
- (C) access to the **retail store** must be from within the **apartment building**, unless it is on a **lot** that has a **front lot line** or a **side lot line** abutting a major **street** on the Policy Areas Overlay Map;
- (D) there may be no outside display of goods; and
- (E) the **interior floor area** of the **retail store** may not exceed 25.0 square metres for the first 100 **dwelling units**, which may be increased by 5.0 square metres for each additional 100 **dwelling units** in excess of 100, to a maximum of 70.0 square metres.

(13) Rooming House

A rooming house in the R zone must comply with the specific use regulations in Section 150.25.

(14) Secondary Suite

A **secondary suite** in the R zone must comply with the specific use regulations in Section 150.10.

(15) Seniors Community House

A **seniors community house** in the R zone must comply with the specific use regulations in Section 150.30.

(16) Tourist Home

In the R zone, a **tourist home**:

- (A) must be in a **detached house**, a **semi-detached house** or a **townhouse**;
- (B) may have a maximum of 2 **bed-sitting rooms** available for tourist accommodation; and
- (C) must not have **vehicle** access by a mutual **driveway**.

(17) Transportation Use

A **building** or **structure** on a **lot** in the R zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(18) Short-term Rental

A **short-term rental** in the R zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 ]

(19) Laneway Suite

A **laneway suite** in the R zone must comply with the specific use regulations in Section 150.8. [ By-law: 810-2018 ]

(20) Garden Suite

A **garden suite** in the R zone must comply with the specific use regulations in Section 150.7. [ By-law: 101-2022 ]

## 10.10.30 Lot Requirements

### 10.10.30.10 Lot Area

(1) Minimum Lot Area

In the R zone:

- (A) if a zone label on the Zoning By-law Map has the letter "a", the numerical value following the letter "a" is the required minimum **lot area**, in square metres; and
- (B) if the zone label does not have an "a" value on the Zoning By-law Map, the required minimum **lot area**, in square metres, is the required minimum **lot frontage** multiplied by 30 metres.

### 10.10.30.20 Lot Frontage

(1) Minimum Lot Frontage

In the R zone:

- (A) if a zone label on the Zoning By-law Map has the letter "f", the numerical value following the letter "f" is the required minimum **lot frontage**, in metres;
- (B) if the zone label does not have an "f" value on the Zoning By-law Map, the required minimum **lot frontage** is 6.0 metres;
- (C) the required minimum **lot frontage** requirement cited in (A) or (B) above:
  - (i) for a **semi-detached house**, is the required minimum **lot frontage** for each **dwelling unit**; and
  - (ii) for a **townhouse** with every **dwelling unit** fronting directly on a **street**:
    - (a) is the required minimum **lot frontage** for each **dwelling unit**; and
    - (b) may be reduced by 1.0 metre for each **dwelling unit** that does not have an individual private **driveway** leading directly to the front of it; and
- (D) despite (A), (B) and (C) above, if a **lot** has a **townhouse** with one or more **dwelling units** not fronting directly on a **street**, the required minimum **lot frontage** is 30.0 metres.

## 10.10.40 Principal Building Requirements

### 10.10.40.1 General

#### (1) Application of this Article

The regulations in Article 10.10.40 apply to **buildings** or **structures** in the R zone, other than **ancillary buildings** or **structures** which are subject to Article 10.5.60 and Article 10.10.60.

#### (2) Number of Residential Buildings on a Lot

A maximum of one **residential building** is permitted on a **lot** in the R zone.

#### (3) Number of Dwelling Units on a Lot

If a zone label applying to a **lot** in the R zone on the Zoning By-law Map has the letter "u", the numerical value following the letter "u" is the maximum number of **dwelling units** permitted on the **lot**.

#### (4) Minimum Width of a Dwelling Unit

In the R zone, the required minimum width of a **dwelling unit** in a **townhouse** is:

- (A) 5.0 metres if the **dwelling unit** does not have an individual private **driveway** leading directly to the front of it; and
- (B) 6.0 metres in all other cases.

#### (5) Building Orientation to a Street - Buildings with Dwelling Units

In the R zone, a **building**, or an addition which is not attached above-ground to the original part of a **building**, is not permitted if:

- (A) it has **dwelling units** and is in the rear of another **building** or the original part of the same **building**; or
- (B) it is in front of a **building**, or the original part of the same **building**, with **dwelling units**, so as to produce the condition of a **building** with **dwelling units** in the rear of another **building**.

### 10.10.40.10 Height

#### (1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the R zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 10.0 metres.

#### (2) Maximum Height of Specified Pairs of Main Walls

In the R zone, the permitted maximum height of the exterior portion of **main walls** for a **residential building**, other than an **apartment building**, is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in regulation 10.10.40.10(1), for either (A) or (B) below:

- (A) for no less than 60% of the total width of:

(i) all front **main walls**; and

(ii) all rear **main walls**; or

(B) all side **main walls**:

(i) for no less than 60% of the total width of the side **main walls** facing a **side lot line** that abuts a **street**; and

(ii) for no less than 100% of the total width of the side **main walls** that do not face a **side lot line** that abuts a **street**.

(3) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the R zone is:

(A) the numerical value following the letters "ST" on the Height Overlay Map; and

(B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.

(4) Roof Slope Restriction for a Detached House

In the R zone, a roof above the second **storey** or higher on a **detached house** may not have a slope greater than 5.0 vertical units for every 3.0 horizontal units.

(5) Width of Dormers in a Roof Above a Second Storey or Higher

In the R zone, on a **residential building** with two or more **storeys**, the exterior sides of a dormer are not **main walls** if the total width of dormers projecting from the surface of a roof does not occupy more than 40% of the total width of the **building's main walls** on the same front, rear or side as the dormers, measured at the level of the uppermost **storey** below the roof.

(6) Height of Main Pedestrian Entrance

In the R zone, for a **detached house** or a **semi-detached house**, the elevation of the lowest point of a main pedestrian entrance through the **front wall** or a side **main wall** may be no higher than 1.2 metres above **established grade**.

[ By-law: PL130592 Mar\_2018 ]

(7) Addition to a Residential Building

In the R zone, all floor levels within an addition, extension or enlargement to the rear of a **residential building**, may not be higher than the uppermost floor level the **building** that is being added to, extended or enlarged.

(8) Height of Specific Structures on a Building

In the R zone, despite regulation 10.5.40.10(2), the following **structures** on the roof of a **building** with a height greater than 15.0 metres, may exceed the permitted maximum height for that **building** by 5.0 metres:

(A) antennae;

(B) flagpoles; and

(C) satellite dishes.

(9) Height of Rooftop Amenity Space Safety and Wind Protection

In the R zone, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are:

(A) on the roof of a **building** with a height greater than 15.0 metres; and

(B) no closer than 2.0 metres from the interior face of any **main wall**.

(10) Limits on Elements for Functional Operation of a Building for Towers

In the R Zone:

(A) Despite regulations 10.5.40.10 (3) and (4), equipment, **structures** or parts of a **building** listed in regulation 10.5.40.10 (3) located on the roof of the tower portion of a **building** may exceed the permitted maximum height for that **building** by 6.5 metres, if the total area of all equipment, **structures**, or parts on the roof of the tower portion of the **building** cover no more than 450 square metres, measured horizontally;

(B) chimneys, pipes, and vents, may further exceed the permitted maximum height in (A) by 3.0 metres; and

(C) For the purpose of regulation 10.10.40.10(10), a "tower" is the portions of a **building** which collectively enclose the entirety of a **storey** higher than 24.0 metres above the **established grade**, and where the maximum average **gross floor area** of any **storey** located above 24.0 metres does not exceed 750 square metres. [ By-law: LPAT PL130592 March 6, 2020 ]

#### 10.10.40.11 Height Exemptions

(1) Alterations to the Roof of Lawfully Existing Buildings in the R Zone

In addition to regulation 10.5.40.11(3), if a **lawfully existing building** in the R zone is a **detached house**, the altered roof may not have a slope greater than 5.0 vertical units for every 3.0 horizontal units.

#### 10.10.40.30 Building Depth

(1) Maximum Building Depth

In the R zone, the permitted maximum **building depth** is:

- (A) 17.0 metres for a **detached house** or **semi-detached house**; and
- (B) 14.0 metres for a **duplex, triplex, fourplex, townhouse** or **apartment building**.

#### 10.10.40.40 Floor Area

(1) Floor Space Index

In the R zone, the permitted maximum floor space index is:

- (A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; or
- (B) if the zone label does not include a "d" value on the Zoning By-law Map, the permitted maximum floor space index is 0.6.

(2) Additions to the Rear of Certain Residential Buildings

If a **lot** in the R zone has a permitted maximum floor space index of 0.6, and has a **detached house**, a **semi-detached house** or a **duplex**, erected before October 15, 1953, the **detached house**, **semi-detached house** or **duplex** may be enlarged by an addition to the rear of the **building** if:

- (A) the overall floor space index for the **lot**, including the addition, does not exceed a total of 0.69;
- (B) no part of the addition is closer to the **side lot line** than the shortest distance between the existing side **main wall** of the **building** and the same **side lot line**; and
- (C) any prior addition is at least 5 years old.

#### 10.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space for an Apartment Building

In the R zone, an **apartment building** with 20 or more **dwelling units** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- (A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**; [ By-law: 1353-2015 ]
- (B) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
- (C) no more than 25% of the outdoor component may be a **green roof**.

(2) Interpretation of Platform Walls

In the R zone, in addition to regulation 10.5.40.50(1), the exterior sides of a **lawfully existing** platform that was **lawfully** enclosed in compliance with the former City of Toronto By-law 438-86, are not **main walls**.

#### 10.10.40.61 Permitted Encroachments Exemptions

(1) Lawfully Existing Porch

Despite 10.5.40.50.(2) and 10.5.40.60(1)(A), in the R zone, a **lawfully existing** porch may be reconstructed or replaced, if the reconstruction or replacement is within the same outer limits of the **lawfully existing** porch and there is no enlargement of the porch. [ By-law: 607-2015 ]



#### 10.10.40.70 Setbacks

(1) Minimum Front Yard Setback

If regulation 10.5.40.70(1) does not apply, the required minimum **front yard setback** in the R zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The required minimum **rear yard setback** in the R zone is 7.5 metres.

(3) Minimum Side Yard Setback

In the R zone, the required minimum **side yard setback** is:

(A) 0.9 metres, for:

- (i) a **detached house**;
- (ii) a **semi-detached house**; and
- (iii) a **townhouse** if all the **dwelling units** front directly on a **street**;

(B) 1.2 metres, for:

- (i) a **duplex**;
- (ii) a **triplex**;
- (iii) a **fourplex**; and
- (iv) an **apartment building** with a height of 12.0 metres or less; and

(C) 7.5 metres, for:

- (i) a **townhouse** if a **dwelling unit** does not front directly on a **street**;
- (ii) an **apartment building** with a height of more than 12.0 metres; and
- (iii) a **non-residential building**.

(4) Reduced Minimum Side Yard for Walls with No Windows or Doors on Specified Buildings

The required minimum **side yard setback** required in regulation 10.10.40.70(3)(A) and (B), may be reduced to 0.45 metres if there are no windows or doors in that side of the **building**, for the following **residential building** types in the R zone:

- (A) a **detached house**;
- (B) a **semi-detached house**;
- (C) a **townhouse** if all the **dwelling units** front directly on a **street**;
- (D) a **duplex**;
- (E) a **triplex**;
- (F) a **fourplex**; and
- (G) an **apartment building** with a height of 12.0 metres or less.

#### 10.10.40.71 Setbacks Exemptions

(1) Setback Exemptions

Regulation 10.5.40.70(1) and Regulations 10.10.40.70 (1)(2)(3) and (4) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 10.5 metres. [103-2016] [ By-law: 1031-2014 ]

#### 10.10.40.80 Separation

(1) Distance Between Main Walls of the Same Townhouse or Apartment Building

In the R zone, if a **townhouse** or an **apartment building** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required minimum above-ground separation distance between those **main walls** is:

- (A) 2.0 metres if there are no openings to **dwelling units** in those **main walls**;

- (B) 5.5 metres if there are no openings to **dwelling units** in one of those **main walls**; and
- (C) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.

#### 10.10.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings

In the R zone, if the **lawful** separation distance between the **main walls** of **lawfully existing buildings** on the same **lot**, or between **main walls** of the same **lawfully existing building**, is less than the required minimum separation distance between **main walls** required by this By-law, that **lawful** separation distance is the minimum separation distance for those **lawful main walls**.

(2) Additions to Lawfully Existing Buildings

In the R zone, any addition or extension to a **lawfully existing building** referred to in regulation 10.10.40.81(1) must comply with the minimum separation distance between **main walls** in regulation 10.10.40.80(1) or be authorized by a Section 45 Planning Act minor variance.

#### 10.10.60 Ancillary Buildings and Structures

##### 10.10.60.1 General

(1) Application of the Article

The regulations in Article 10.10.60 apply to **ancillary buildings** or **structures** in the R zone, in addition to the requirements of Article 10.5.60, if they are **ancillary** to **dwelling units** or **residential buildings**.

##### 10.10.60.20 Setbacks

(1) Rear Yard Setbacks and Side Yard Setbacks for Detached Private Garages

Despite regulation 10.5.60.20(2), (3), (5) and (6), in the R zone, the required minimum **rear yard setback** and **side yard setback** for an **ancillary building** or **structure** containing a **parking space** is:

- (A) 1.0 metres from a **rear lot line** or **side lot line** abutting a **street** or **lane**, subject to regulation 10.5.60.20(4); and
- (B) no minimum **building setback** is required from a **rear lot line** or **side lot line** that does not abut a **street** or **lane**.

##### 10.10.60.70 Lot Coverage

(1) Lot Coverage Requirement for Ancillary Buildings and Structures

Despite regulation 10.5.60.70(1), in the R zone, the area of the **lot** covered by **ancillary buildings** and **structures** may not exceed 5% of the **lot area**, except for the following:

- (A) the water surface area of an outdoor swimming pool or other **ancillary structure** used to hold water, if they comply with regulation 10.5.60.70(2); and
- (B) **ancillary buildings** or **structures** containing **parking spaces**, to a maximum of one **parking space** per **dwelling unit** on the **lot**. [ By-law: 89-2022 ]

#### 10.10.80 Parking

##### 10.10.80.1 General

(1) Conversion of a Parking Space in a Building to Habitable Space

A **parking space** located inside a **building** on a **lot** in the R zone, other than an **ancillary building**, may be converted to habitable space and no further **parking space** is required if :

- (A) the **lot** has:
  - (i) a **lot frontage** of 7.6 metres or less; or
  - (ii) a **lot frontage** greater than 7.6 metres, and the elevation of the floor of the **vehicle** entrance is below **established grade**;
- (B) the **parking space** is in a **detached house**, a **semi-detached house** or a **townhouse**; [ By-law: 89-2022 ]
- (C) **vehicle** entrance to the **parking space** is in the front **main wall**; and
- (D) the **driveway** leading to the **vehicle** entrance in the **building** is removed, and any **front yard** depression in the ground is filled to **established grade**.

#### 10.10.80.40 Access to Parking Space

(1) Garage Entrance in Front Wall Not Permitted on Certain Lots

Despite regulation 10.5.80.40(1), if a **lot** in the R zone has a **lot frontage** of 7.6 metres or less, a **vehicle** entrance through the front **main wall** of a **building**, other than an **ancillary building**, is not permitted.

(2) Parking Access to a Corner Lot or a Lot Abutting a Lane

In the R zone, on a **corner lot**, despite regulation 10.5.80.40(3), or on a **lot** abutting a **lane**, **vehicle** access to any **parking space** on the **lot** must be from the flanking **street** or from the **lane**.

#### 10.10.80.200 Exemptions

(1) Exemption from Parking Space Requirements for Certain Lots

In the R zone, despite the requirements of Chapter 200, Parking Space Regulations, no **parking space** is required for a **lot** if access to a required **parking space** located in a **side yard** or **rear yard** cannot be provided from a **lane** or flanking **street**, and:

- (A) the **lot frontage** of the **lot** is 7.6 metres or less and:
  - (i) a deed to the **lot** was registered on or before July 2, 1996; and
  - (ii) a **detached house**, **semi-detached house**, **duplex**, **triplex**, or one unit of a **townhouse** is erected on the **lot** after July 2, 1996; or
- (B) a **lot** that had not been the subject of a previous severance is severed to create a maximum of three **lots** each with a maximum of one **dwelling unit** and a **lot frontage** of 7.6 metres or less. [ By-law: PL130592 Mar\_2018 ]

## 10.20 Residential Detached Zone (RD)

### 10.20.1 General

#### 10.20.1.10 Interpretation

(1) Application of This Section

The regulations in Section 10.20 apply to all lands, uses, **buildings** and **structures** in the RD zone.

### 10.20.20 Permitted Uses

#### 10.20.20.10 Permitted Use

(1) Use - RD Zone

The following uses are permitted in the RD zone:

**Dwelling Unit** in a permitted **residential building** type in Clause 10.20.20.40.

**Municipal Shelter**

**Park** [ By-law: 545-2019 ]

#### 10.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - RD Zone

The following uses are permitted in the RD zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.20.20.100:

Ambulance Depot (1)

**Cogeneration Energy** (2)

**Community Centre** (3)

**Day Nursery** (4)

Fire Hall (1)

**Garden Suite** (17)

**Group Home** (5)

**Home Occupation** (6)

**Laneway Suite** (16)

Library (3)

**Place of Worship** (8)

Police Station (1)

**Private Home Daycare** (9)

**Public Utility** (10, 11)

**Renewable Energy** (2)

**Secondary Suite** (12)

**Seniors Community House** (13)

**Short-term Rental** (15)

**Transportation Use** (14)

[By-law 1453-2017]

[By-law: 1210-2019] [ By-law: 101-2022 ]

#### 10.20.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RD Zone

In the RD zone, a **dwelling unit** is permitted in the following **residential building** types:

(A) **Detached House.**

## 10.20.20.100 Conditions

(1) Ambulance Depot, Fire Hall or Police Station

In the RD zone, an ambulance depot, a fire hall or a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production

In the RD zone, **cogeneration energy** production or **renewable 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.

(3) Community Centre or Library

In the RD zone, a **community centre** or a library must:

- (A) be operated by, or on behalf of, the City of Toronto;
- (B) be on a **lot** with a **lot area** of 1500 square metres or less; and
- (C) have a **front lot line** or **side lot line** abutting:
  - (i) a major **street** on the Policy Areas Overlay Map, or
  - (ii) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80.0 metres of that intersection.

(4) Day Nursery

A **day nursery** in the RD zone must comply with the specific use regulations in Section 150.45.

(5) Group Home

A **group home** in the RD zone must comply with the specific use regulations in Section 150.15.

(6) Home Occupation

A **home occupation** in the RD zone must comply with the specific use regulations in Section 150.5.

(8) Place of Worship

In the RD zone, a **place of worship** must:

- (A) comply with the specific use regulations in Section 150.50;
- (B) be on a **lot** with:
  - (i) a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map;
  - (ii) a **lot area** of at least 2,000 square metres; and
  - (iii) a **lot frontage** of at least 30 metres; and
- (C) be in a **building** with no more than 2,000 square metres of **gross floor area**; and
- (D) a **lawfully existing place of worship** is exempt from the requirements of regulation 10.20.20.100(8) (B) and (C).

(9) Private Home Daycare

A children's play area for a **private home daycare** in the RD zone:

- (A) must be fenced; and
- (B) may not be located in the **front yard** or a **side yard** abutting a **street**.

(10) Public Utility

In the RD zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(11) Public Utility

In the RD zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the RD zone if it is:

(A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]

(B) a natural gas regulator station.

(12) Secondary Suite

A **secondary suite** in the RD zone must comply with the specific use regulations in Section 150.10.

(13) Seniors Community House

A **seniors community house** in the RD zone must comply with the specific use regulations in Section 150.30.

(14) Transportation Use

A **building** or **structure** on a **lot** in the RD zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(15) Short-term Rental

A **short-term rental** in the RD zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 ]

(16) Laneway Suite

A **laneway suite** in the RD zone must comply with the specific use regulations in Section 150.8. [ By-law: 1210-2019 ]

(17) Garden Suite

A **garden suite** in the RD zone must comply with the specific use regulations in Section 150.7. [ By-law: 101-2022 ]

## 10.20.30 Lot Requirements

### 10.20.30.10 Lot Area

(1) Minimum Lot Area

In the RD zone:

(A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum **lot area**, in square metres; and

(B) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum **lot area**, in square metres, is the required minimum **lot frontage** multiplied by 30 metres.

### 10.20.30.20 Lot Frontage

(1) Minimum Lot Frontage

In the RD zone:

(A) if a zone label includes the letter "f", as on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum **lot frontage**, in metres; and

(B) if the zone label does not include an "f" value on the Zoning By-law Map, the required minimum **lot frontage** is 12.0 metres.

### 10.20.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the RD zone:

(A) if a **lot** is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; and

(B) if a **lot** is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

## 10.20.40 Principal Building Requirements

### 10.20.40.1 General

(1) Application of this Article

The regulations in Article 10.20.40 apply to **buildings** or **structures** in the RD zone, other than **ancillary buildings** or **structures** which are subject to Article 10.5.60.

(2) Number of Residential Buildings on a Lot

A maximum of one **residential building** is permitted on a **lot** in the RD zone.

(3) Building Orientation to a Street - Buildings with Dwelling Units

In the RD zone, a **building**, or an addition which is not attached above-ground to the original part of a **building**, is not permitted if:

- (A) it has **dwelling units** and is in the rear of another **building** or the original part of the same **building**; or
- (B) it is in front of a **building**, or the original part of the same **building**, with **dwelling units**, so as to produce the condition of a **building** with **dwelling units** in the rear of another **building**.

## 10.20.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RD zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 10.0 metres.

(2) Maximum Height of Specified Pairs of Main Walls

In the RD zone, the permitted maximum height of the exterior portion of **main walls** for a **detached house** is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in regulation 10.20.40.10(1), for either (A) or (B) below:

- (A) for no less than 60% of the total width of:
  - (i) all front **main walls**; and
  - (ii) all rear **main walls**; or
- (B) all side **main walls**:
  - (i) for no less than 60% of the total width of the side **main walls** facing a **side lot line** that abuts a **street**; and
  - (ii) for no less than 100% of the total width of the side **main walls** that do not face a **side lot line** that abuts a **street**.

(3) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the RD zone is:

- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
- (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.

(4) Restrictions for a Detached House with a Flat or Shallow Roof

If a **detached house** in the RD zone has a roof with a slope of less than 1.0 vertical units for every 4.0 horizontal units, for more than 50% of the total horizontal roof area:

- (A) despite regulation 10.20.40.10(1), the permitted maximum height of the **building** is 7.2 metres;
- (B) regulation 10.20.40.10(2) does not apply; and
- (C) despite regulation 10.20.40.10(3), the **building** may have no more than two **storeys**.

(5) Exemption for Parapet on a Detached House with a Flat or Shallow Roof

A parapet on a **detached house** in the RD zone may exceed the permitted maximum height of a **building** in regulation 10.20.40.10(4) by a maximum of 0.3 metres.

(6) Height of Main Pedestrian Entrance

In the RD zone, for a **detached house**, the elevation of the lowest point of a main pedestrian entrance through the **front wall** or a side **main wall** may be no higher than 1.2 metres above **established grade**. [ By-law: PL130592 Mar\_2018 ]

**(7) Width of Dormers in a Roof Above a Second Storey or Higher**

In the RD zone, on a **detached house** with two or more **storeys**, the exterior sides of a dormer are not **main walls** if the total width of dormers projecting from the surface of a roof does not occupy more than 40% of the total width of the **building's main walls** on the same front, rear or side as the dormers, measured at the level of the uppermost **storey** below the roof.

**(8) Exclusion of Certain Floor Area Within an Attic Space as a Storey**

In the RD zone, where a floor area meets the conditions set out in regulation 10.5.40.40(1), this space is not a **storey** if it is used for housing or maintaining mechanical equipment for the **building** and the floor area does not exceed 20 square metres.

### **10.20.40.11 Height Exemptions**

**(1) Alterations to the Roof of Lawfully Existing Buildings in an RD Zone**

In addition to the requirements of regulation 10.5.40.11(3), if a **lawfully existing building** in the RD zone is a **detached house**, the altered roof may not have a slope less than 1.0 vertical units for every 4.0 horizontal units for more than 50% of the total horizontal roof area.

### **10.20.40.20 Building Length**

**(1) Maximum Building Length if Required Lot Frontage is in Specified Range**

In the RD zone with a required minimum **lot frontage** of 18.0 metres or less, the permitted maximum **building length** for a **detached house** is 17.0 metres.

**(2) One Storey Extension to Building Length if Required Lot Frontage is in Specified Range**

In the RD zone, despite regulation 10.20.40.20(1), on a **lot** with a required minimum **lot frontage** of more than 12.0 metres to 18.0 metres, a **detached house** may extend beyond the permitted maximum **building length** by a maximum of 2.0 metres, if the extended part:

- (A) has a maximum height of 5.0 metres and one **storey**;
- (B) is no wider than 50% of the width of the **building** at its widest point; and
- (C) is at least 3.0 metres from each **side lot line**.

### **10.20.40.30 Building Depth**

**(1) Maximum Building Depth if Required Lot Frontage is in Specified Range**

In the RD zone with a required minimum **lot frontage** of 18.0 metres or less, the rear **main wall** of a **detached house**, not including a one **storey** extension that complies with regulation 10.20.40.20(2), may be no more than 19.0 metres from the required **front yard setback**.

### **10.20.40.40 Floor Area**

**(1) Floor Space Index**

In the RD zone, the permitted maximum floor space index is:

- (A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
- (B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, the floor space index is not limited by this regulation.

### **10.20.40.50 Decks, Platforms and Amenities**

**(1) Platforms at or Above the Second Storey of a Detached House**

In the RD zone, a platform such as a deck or balcony with access from the second **storey** or above of a **detached house** must comply with the following:



- (A) there may be no more than a total of four platforms, and no more than one on each of the front, rear and each side of the **detached house**; and
- (B) the maximum area of each platform is 4.0 square metres.

(2) Interpretation of Platform Walls

In the RD zone, if an area is not subject to **lot coverage**, in addition to regulation 10.5.40.50(1) the exterior sides of a **lawfully existing** platform that was **lawfully** enclosed in compliance with the former City of Toronto By-law 438-86 are not **main walls**.

## 10.20.40.70 Setbacks

(1) Minimum Front Yard Setback

If regulation 10.5.40.70(1) does not apply, the required minimum **front yard setback** in the RD zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The required minimum **rear yard setback** in the RD zone is the greater of:

- (A) 7.5 metres; or
- (B) 25% of the **lot depth**.

(3) Minimum Side Yard Setback

The required minimum **side yard setback** in the RD zone is:

- (A) 0.6 metres if the required minimum **lot frontage** is less than 6.0 metres;
- (B) 0.9 metres if the required minimum **lot frontage** is 6.0 metres to less than 12.0 metres;
- (C) 1.2 metres if the required minimum **lot frontage** is 12.0 metres to less than 15.0 metres;
- (D) 1.5 metres if the required minimum **lot frontage** is 15.0 metres to less than 18.0 metres;
- (E) 1.8 metres if the required minimum **lot frontage** is 18.0 metres to less than 24.0 metres;
- (F) 2.4 metres if the required minimum **lot frontage** is 24.0 metres to less than 30.0 metres; and
- (G) 3.0 metres if the required minimum **lot frontage** is 30.0 metres or greater.

(4) Shifting Minimum Side Yard if Required Lot Frontage is in Specified Range

Despite regulation 10.20.40.70(3), for a **lot** in the RD zone with a required minimum **lot frontage** of 12.0 metres to less than 18.0 metres, the required minimum **side yard setback** on one side of a **detached house** may be reduced by a maximum of 0.3 metres if the required minimum **side yard setback** on the other side of the **detached house** is increased by the same amount.

(5) Larger Minimum Side Yard Beyond Specified Depth if Required Lot Frontage is Over 18.0 Metres

Despite regulation 10.20.40.70(3), for a **lot** in the RD zone with a required minimum **lot frontage** greater than 18.0 metres, the required minimum **side yard setback** is 7.5 metres for any portion of a **building** that is farther from the **front lot line** than the lesser of:

- (A) 17.0 metres from the front **main wall** of the **building**; or
- (B) 19.0 metres from the required **front yard setback**.

(6) Minimum Side Yard Abutting a Street for Specified Corner Lots

Despite regulation 10.20.40.70(3) and (4), for a **corner lot** in the RD zone, the required minimum **side yard setback** from a **side lot line** abutting a **street** is 3.0 metres, if:

- (A) the required minimum **lot frontage** for the **corner lot** is 12.0 metres or more; and
- (B) there is an adjacent **lot** fronting on the **street** abutting the **side lot line** of the **corner lot**.

## 10.40 Residential Semi-Detached Zone (RS)

### 10.40.1 General

#### 10.40.1.10 Interpretation

(1) Application of This Section

The regulations in Section 10.40 apply to all lands, uses, **buildings** and **structures** in the RS zone.

### 10.40.20 Permitted Uses

#### 10.40.20.10 Permitted Use

(1) Use - RS Zone

The following uses are permitted in the RS zone:

**Dwelling Unit** in a permitted **residential building** type in Clause 10.40.20.40.

**Municipal Shelter**

**Park** [ By-law: 545-2019 ]

#### 10.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions - RS Zone

The following uses are permitted in the RS zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.40.20.100:

Ambulance Depot (1)

**Cogeneration Energy** (2)

**Community Centre** (3)

**Day Nursery** (4)

Fire Hall (1)

**Garden Suite** (17)

**Group Home** (5)

**Home Occupation** (6)

**Laneway Suite** (16)

Library (3)

**Place of Worship** (8)

Police Station (1)

**Private Home Daycare** (9)

**Public Utility** (10, 11)

**Renewable Energy** (2)

**Secondary Suite** (12)

**Seniors Community House** (13)

**Short-term Rental** (15)

**Transportation Use** (14)

[By-law 1453-2017] [By-law: 1210-2019] [ By-law: 101-2022 ]

#### 10.40.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RS Zone

In the RS zone, a **dwelling unit** is permitted in the following **residential building** types:

(A) **Detached House**; and

(B) **Semi-Detached House**.

#### 10.40.20.100 Conditions

(1) Ambulance Depot, Fire Hall or Police Station

In the RS zone, an ambulance depot, a fire hall or a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production

In the RS zone, **cogeneration energy** production or **renewable 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.

(3) Community Centre or Library

In the RS zone, a **community centre** or a library must:

- (A) be operated by, or on behalf of, the City of Toronto;
- (B) be on a **lot** with a **lot area** of 1500 square metres or less; and
- (C) have a **front lot line** or **side lot line** abutting:
  - (i) a major **street** on the Policy Areas Overlay Map; or
  - (ii) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80.0 metres of that intersection.

(4) Day Nursery

A **day nursery** in the RS zone must comply with the specific use regulations in Section 150.45.

(5) Group Home

A **group home** in the RS zone must comply with the specific use regulations in Section 150.15.

(6) Home Occupation

A **home occupation** in the RS zone must comply with the specific use regulations in Section 150.5.

(8) Place of Worship

In the RS zone, a **place of worship** must:

- (A) comply with the specific use regulations in Section 150.50;
- (B) be on a **lot** with:
  - (i) a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map;
  - (ii) a **lot area** of at least 2,000 square metres; and
  - (iii) a **lot frontage** of at least 30 metres;
- (C) be in a **building** with no more than 2,000 square metres of **gross floor area**; and
- (D) a **lawfully existing place of worship** is exempt from the requirements of regulation 10.40.20.100(8) (B) and (C).

(9) Private Home Daycare

A children's play area for a **private home daycare** in the RS zone:

- (A) must be fenced; and
- (B) may not be located in the **front yard** or a **side yard** abutting a **street**.

(10) Public Utility

In the RS zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(11) Public Utility

In the RS zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the RS zone if it is:

(A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]

(B) a natural gas regulator station.

(12) Secondary Suite

A **secondary suite** in the RS zone must comply with the specific use regulations in Section 150.10.

(13) Seniors Community House

A **seniors community house** in the RS zone must comply with the specific use regulations in Section 150.30.

(14) Transportation Use

A **building** or **structure** on a **lot** in the RS zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(15) Short-term Rental

A **short-term rental** in the RS zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 ]

(16) Laneway Suite

A **laneway suite** in the RS zone must comply with the specific use regulations in Section 150.8. [ By-law: 1210-2019 ]

(17) Garden Suite

A **garden suite** in the RS zone must comply with the specific use regulations in Section 150.7. [ By-law: 101-2022 ]

## 10.40.30 Lot Requirements

### 10.40.30.10 Lot Area

(1) Minimum Lot Area

In the RS zone:

(A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum **lot area**, in square metres;

(B) despite (A) above, if a **semi-detached house** is on two **lots** in the RS zone, the required minimum **lot area** for each **lot** is 50% of the numerical value following the letter "a", in square metres; and

(C) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum **lot area**, in square metres, is the required minimum **lot frontage** multiplied by 30 metres.

### 10.40.30.20 Lot Frontage

(1) Minimum Lot Frontage

In the RS zone:

(A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum **lot frontage**, in metres;

(B) if the zone label does not include an "f" value on the Zoning By-law Map, the required minimum **lot frontage** is 15.0 metres; and

(C) if a **semi-detached house** is on two **lots** in the RS zone, the required minimum **lot frontage** for each **lot** is 50% of the requirements cited in (A) and (B) above.

### 10.40.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the RS zone:

(A) if a **lot** is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; and

(B) if a **lot** is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

## 10.40.40 Principal Building Requirements

### 10.40.40.1 General

(1) Application of this Article

The regulations in Article 10.40.40 apply to **buildings** or **structures** in the RS zone, other than **ancillary buildings** or **structures** which are subject to Article 10.5.60.

(2) Number of Residential Buildings on a Lot

A maximum of one **residential building** is permitted on a **lot** in the RS zone.

### 10.40.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RS zone is:

(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or

(B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 10.0 metres.

(2) Maximum Height of Specified Pairs of Main Walls

In the RS zone, the permitted maximum height of the exterior portion of **main walls** for a **detached house** or a **semi-detached house** is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in 10.40.40.10(1), for either (A) or (B) below:

(A) for no less than 60% of the total width of:

(i) all front **main walls**; and

(ii) all rear **main walls**; or

(B) all side **main walls**:

(i) for no less than 60% of the total width of the side **main walls** facing a **side lot line** that abuts a **street**; and

(ii) for no less than 100% of the total width of the side **main walls** that do not face a **side lot line** that abuts a **street**.

(3) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the RS zone is:

(A) the numerical value following the letters "ST" on the Height Overlay Map; and

(B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.

(4) Height of Main Pedestrian Entrance

In the RS zone, for a **detached house** or a **semi-detached house**, the elevation of the lowest point of a pedestrian entrance through the **front wall** or a side **main wall** may be no higher than 1.2 metres above **established grade**. [ By-law: PL130592 Mar\_2018 ]

(5) Width of Dormers in a Roof Above a Second Storey or Higher

In the RS zone, on a **detached house** or **semi-detached house** with two or more **storeys**, the exterior sides of a dormer are not **main walls** if the total width of dormers projecting from the surface of a roof does not occupy more than 40% of the total width of the **building's main walls** on the same front, rear or side as the dormers, measured at the level of the uppermost **storey** below the roof.

### 10.40.40.20 Building Length

(1) Maximum Building Length

In the RS zone, the permitted maximum **building length** for a **detached house** or a **semi-detached house** is 17.0 metres.

(2) One Storey Extension to Building Length if Required Lot Frontage is More than 12.0 Metres

In the RS zone, despite regulation 10.40.40.20(1), on a **lot** with a required minimum **lot frontage** of more than 12.0 metres for a **detached house** or for an entire **semi-detached house**, a **detached house** or **semi-detached house** may extend beyond the permitted maximum **building length** by a maximum of 2.0 metres, if the extended part:

- (A) has a maximum height of 5.0 metres and one **storey**;
- (B) is no wider than 50% of the width of the **dwelling unit** at its widest point; and
- (C) is at least 3.0 metres from each **side lot line**, not including a **side lot line** extending between the two **dwelling units** of the **semi-detached house**.

#### 10.40.40.30 Building Depth

(1) Maximum Building Depth

In the RS zone, the rear **main wall** of a **detached house** or **semi-detached house**, not including a one **storey** extension that complies with regulation 10.40.40.20(2), may be no more than 19.0 metres from the required minimum **front yard setback**.

#### 10.40.40.40 Floor Area

(1) Floor Space Index

In the RS zone, the permitted maximum floor space index is:

- (A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
- (B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, the floor space index is not limited by this regulation.

#### 10.40.40.50 Decks, Platforms and Amenities

(1) Platforms at or Above the Second Storey of a Detached House

In the RS zone, platforms such as a deck or balcony, with access from the second **storey** or above of a **detached house** must comply with the following:

- (A) there may be no more than a total of four platforms, and no more than one on each of the front, rear and each side of the **detached house**; and
- (B) the maximum area of each platform is 4.0 square metres.

(2) Platforms at or Above the Second Storey of a Semi-Detached House

In the RS zone, platforms such as a deck or balcony, with access from the second **storey** or above of a **semi-detached house** must comply with the following:

- (A) there may be no more than a total of three platforms for each **dwelling unit**, and no more than one on each of the front, rear and side of the **dwelling unit**;
- (B) the maximum area of each platform is 4.0 square metres; and
- (C) a platform at the rear of the **dwelling unit** is at least 1.8 metres from the common wall dividing the **dwelling units**, or a projection of that common wall to a **lot line**.

#### 10.40.40.70 Setbacks

(1) Minimum Front Yard Setback

If regulation 10.5.40.70(1) does not apply, the required minimum **front yard setback** in the RS zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The required minimum **rear yard setback** in the RS zone is the greater of:

- (A) 7.5 metres; or
- (B) 25% of the **lot depth**.

(3) Minimum Side Yard Setback

The required minimum **side yard setback** in the RS zone is:

- (A) 0.9 metres, if the required minimum **lot frontage** for a **detached house** or for an entire **semi-detached house** is less than 12.0 metres;
- (B) 1.2 metres, if the required minimum **lot frontage** for a **detached house** or for an entire **semi-detached house** is 12.0 metres to less than 15.0 metres;
- (C) 1.5 metres, if the required minimum **lot frontage** for a **detached house** or for an entire **semi-detached house** is 15.0 metres or more; and
- (D) 1.8 metres, for a **non-residential building**.

## 10.60 Residential Townhouse Zone ( RT)

### 10.60.1 General

#### 10.60.1.10 Interpretation

(1) Application of This Section

The regulations in Section 10.60 apply to all lands, uses, **buildings** and **structures** in the RT zone.

### 10.60.20 Permitted Uses

#### 10.60.20.10 Permitted Use

(1) Use - RT Zone

The following uses are permitted in the RT zone:

**Dwelling Unit** in a permitted **residential building** type in Clause 10.60.20.40.

**Municipal Shelter**

**Park** [ By-law: 545-2019 ]

#### 10.60.20.20 Permitted Use - with Conditions

(1) Use with Conditions - RT Zone

The following uses are permitted in the RT zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.60.20.100:

Ambulance Depot (1)

**Cogeneration Energy** (2)

**Community Centre** (3)

**Day Nursery** (4)

Fire Hall (1)

**Garden Suite** (17)

**Group Home** (5)

**Home Occupation** (6)

**Laneway Suite** (16)

Library (3)

**Place of Worship** (8)

Police Station (1)

**Private Home Daycare** (9)

**Public Utility** (10, 11)

**Renewable Energy** (2)

**Secondary Suite** (12)

**Seniors Community House** (13)

**Short-term Rental** (15)

**Transportation Use** (14)

[By-law 1453-2017]

[By-law 1210-2019] [ By-law: 101-2022 ]

#### 10.60.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RT Zone

In the RT zone, a **dwelling unit** is permitted in the following **residential building** types:

(A) **Detached House**;

(B) **Semi-Detached House**; and



(C) **Townhouse.**

**10.60.20.100 Conditions**

(1) Ambulance Depot, Fire Hall or Police Station

In the RT zone, an ambulance depot, a fire hall or a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production

In the RT zone, **cogeneration energy** production or **renewable 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.

(3) Community Centre or Library

In the RT zone, a **community centre** or a library must be on a **lot** that has a **front lot line** or **side lot line** abutting:

- (A) a major **street** on the Policy Areas Overlay Map; or
- (B) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80 metres of that intersection.

(4) Day Nursery

A **day nursery** in the RT zone must comply with the specific use regulations in Section 150.45.

(5) Group Home

A **group home** in the RT zone must comply with the specific use regulations in Section 150.15.

(6) Home Occupation

A **home occupation** in the RT zone must comply with the specific use regulations in Section 150.5.

(8) Place of Worship

In the RT zone, a **place of worship** must:

- (A) comply with the specific use regulations in Section 150.50;
- (B) be on a **lot** with:
  - (i) a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map;
  - (ii) a **lot area** of at least 2,000 square metres; and
  - (iii) a **lot frontage** of at least 30 metres;
- (C) be in a **building** with no more than 2,500 square metres of **gross floor area**; and
- (D) a **lawfully existing place of worship** is exempt from the requirements of regulation 10.60.20.100(8) (B) and (C).

(9) Private Home Daycare

A children's play area for a **private home daycare** in the RT zone:

- (A) must be fenced; and
- (B) may not be located in the **front yard** or a **side yard** abutting a **street**.

(10) Public Utility

In the RT zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(11) Public Utility

In the RT zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the RT zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]

(B) a natural gas regulator station.

(12) Secondary Suite

A **secondary suite** in the RT zone must comply with the specific use regulations in Section 150.10.

(13) Seniors Community House

A **seniors community house** in the RT zone must comply with the specific use regulations in Section 150.30.

(14) Transportation Use

A **building** or **structure** on a **lot** in the RT zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(15) Short-term Rental

A **short-term rental** in the RT zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 ]

(16) Laneway Suite

A **laneway suite** in the RT zone must comply with the specific use regulations in Section 150.8. [ By-law: 1210-2019 ]

(17) Garden Suite

A **garden suite** in the RT zone must comply with the specific use regulations in Section 150.7. [ By-law: 101-2022 ]

### 10.60.30 Lot Requirements

#### 10.60.30.10 Lot Area

(1) Minimum Lot Area

In the RT zone:

- (A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum **lot area**, in square metres;
- (B) despite (A) above, if one **semi-detached house** is on two **lots** in the RT zone, the required minimum **lot area** for each **lot** is 50% of the numerical value following the letter "a", in square metres; and
- (C) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum **lot area**, in square metres, is the required minimum **lot frontage** multiplied by 30 metres.

(2) Minimum Lot Area For Each Dwelling Unit in a Townhouse

If a zone label applying to a **lot** in the RT zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum **lot area** for each **dwelling unit** in a **townhouse**.

#### 10.60.30.20 Lot Frontage

(1) Minimum Lot Frontage

In the RT zone:

- (A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum **lot frontage** for each **dwelling unit**, in metres, for a **lot** with:
  - (i) a **detached house**;
  - (ii) a **semi-detached house**; or
  - (iii) a **townhouse** with every **dwelling unit** fronting directly on a **street**;
- (B) if the zone label does not include an "f" value on the Zoning By-law Map, the required minimum **lot frontage** is 6.0 metres for each **dwelling unit**, for a **lot** with:
  - (i) a **detached house**;
  - (ii) a **semi-detached house**; or
  - (iii) a **townhouse** with every **dwelling unit** fronting directly on a **street**;

- (C) the required minimum **lot frontage** for a **townhouse** in the RT zone cited in (A) or (B) above, may be reduced by 1.0 metres for each **dwelling unit** that does not have an individual private **driveway** leading directly to the front of it; and
- (D) despite (A), (B) and (C) above, the required minimum **lot frontage** is 30.0 metres if a **lot** has:
  - (i) a **townhouse** with one or more **dwelling units** not fronting directly on a **street**; or
  - (ii) a **non-residential building**.

#### 10.60.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the RT zone:

- (A) if a **lot** is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; and
- (B) if a **lot** is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

#### 10.60.40 Principal Building Requirements

##### 10.60.40.1 General

(1) Application of this Article

The regulations in Article 10.60.40 apply to **buildings** or **structures** in the RT zone, other than **ancillary buildings** or **structures** which are subject to Article 10.5.60.

(2) Number of Dwelling Units on a Lot

If a zone label applying to a **lot** in the RT zone includes the letter "u", on the Zoning By-law Map, the numerical value following the letter "u" is the permitted maximum number of **dwelling units** on the **lot**.

(3) Minimum Width of a Dwelling Unit

In the RT zone, the required minimum width of a **dwelling unit** in a **townhouse** is:

- (A) 5.0 metres if the **dwelling unit** does not have an individual private **driveway** leading directly to the front of it; and
- (B) 6.0 metres in all other cases.

##### 10.60.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RT zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 10.0 metres, if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map.

(2) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the RT zone is:

- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
- (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.

##### 10.60.40.40 Floor Area

(1) Floor Space Index

In the RT zone, the permitted maximum floor space index is:

- (A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
- (B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, the floor space index is not limited by this regulation.

#### 10.60.40.70 Setbacks

(1) Minimum Front Yard Setback

If regulation 10.5.40.70(1) does not apply, the required minimum **front yard setback** in the RT zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The required minimum **rear yard setback** in the RT zone is 7.5 metres.

(3) Minimum Side Yard Setback

In the RT zone:

- (A) the required minimum **side yard setback** is 7.5 metres; and
- (B) despite (A) above, the required minimum **side yard setback** is 0.9 metres for:
  - (i) a **detached house**;
  - (ii) a **semi-detached house**; or
  - (iii) a **townhouse**, if all the **dwelling units** front directly on a **street**.

#### 10.60.40.80 Separation

(1) Distance Between Main Walls of the Same Townhouse

In the RT zone, if a **townhouse** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required minimum above-ground separation distance between those **main walls** is:

- (A) 5.5 metres if there are no openings to **dwelling units** in one or more of those **main walls**; and
- (B) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.

(2) Distance Between Residential Buildings on the Same Lot

In the RT zone, if two or more **residential buildings** are on the same **lot**, the required minimum above-ground separation distance between the **main walls** of the respective **buildings** is:

- (A) 5.5 metres if there are no openings to **dwelling units** in the front or rear **main wall** of one or more of the **buildings**; [ By-law: PL130592 Mar\_2018 ]
- (B) 11.0 metres if each front or rear **main wall** has an opening to a **dwelling unit**; and [ By-law: PL130592 Mar\_2018 ]
- (C) 2.4 metres between side **main walls** of two **residential buildings**. [ By-law: PL130592 Mar\_2018 ]

#### 10.60.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings

In the RT zone, if the **lawful** separation distance between the **main walls** of **lawfully existing buildings** on the same **lot**, or between **main walls** of the same **lawfully existing building**, is less than the required minimum separation distance between **main walls** required by this By-law, that **lawful** separation distance is the minimum separation distance for those **lawful main walls** of those **lawfully existing buildings**.

(2) Additions to Lawfully Existing Buildings

In the RT zone, any addition or extension to a **lawfully existing building** referred to in regulation 10.60.40.81(1) must comply with the required minimum separation distance between **main walls** in regulations 10.60.40.80(1) and (2) or be authorized by a Section 45 Planning Act minor variance.

## 10.80 Residential Multiple Zone (RM)

### 10.80.1 General

#### 10.80.1.10 Interpretation

(1) Application of This Section

The regulations in Section 10.80 apply to all lands, uses, **buildings** and **structures** in the RM zone.

### 10.80.20 Permitted Uses

#### 10.80.20.10 Permitted Use

(1) Use - RM Zone

The following uses are permitted in the RM zone:

**Dwelling Unit** in a permitted **residential building** type in Clause 10.80.20.40.

**Municipal Shelter**

**Park** [ By-law: 545-2019 ]

#### 10.80.20.20 Permitted Use - with Conditions

(1) Use with Conditions - RM Zone

The following uses are permitted in the RM zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.80.20.100:

Ambulance Depot (1)

**Cogeneration Energy** (2)

**Community Centre** (3)

**Crisis Care Shelter** (4)

**Day Nursery** (5)

Fire Hall (1)

**Garden Suite** (20)

**Group Home** (6)

**Home Occupation** (7)

**Laneway Suite** (19)

Library (3)

**Nursing Home** (8)

**Place of Worship** (9)

Police Station (1)

**Private Home Daycare** (10)

**Public Utility** (11, 12)

**Renewable Energy** (2)

**Residential Care Home** (6)

**Respite Care Facility** (13)

**Retirement Home** (8)

**Rooming House** (14)

**Secondary Suite** (15)

**Seniors Community House** (16)

**Short-term Rental** (18)

**Transportation Use** (17)

[By-law 1453-2017]

[By-law 1210-2019] [ By-law: 101-2022 ]

#### 10.80.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RM Zone

In the RM zone, a **dwelling unit** is permitted in the following **residential building** types:

- (A) **Detached House**;
- (B) **Semi-Detached House**;
- (C) **Duplex**, if the zone label on the Zoning By-law Map:
  - (i) does not include a "u" value; or
  - (ii) has a numerical value of 2 or greater following the letter "u" in the zone label;
- (D) **Triplex**, if the zone label on the Zoning By-law Map:
  - (i) does not include a "u" value; or
  - (ii) has a numerical value of 3 or greater following the letter "u" in the zone label;
- (E) **Fourplex**, if the zone label on the Zoning By-law Map:
  - (i) does not include a "u" value; or
  - (ii) has a numerical value of 4 or greater following the letter "u" in the zone label; and
- (F) **Apartment Building**, if the zone label on the Zoning By-law Map:
  - (i) does not include a "u" value; or
  - (ii) has a numerical value of 5 or greater following the letter "u" in the zone label.

#### 10.80.20.100 Conditions

(1) Ambulance Depot, Fire Hall or Police Station

In the RM zone, an ambulance depot, a fire hall or a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production

In the RM zone, **cogeneration energy** production or **renewable 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.

(3) Community Centre or Library

In the RM zone, a **community centre** or a library must be on a **lot** that has a **front lot line** or **side lot line** abutting:

- (A) a major **street** on the Policy Areas Overlay Map; or
- (B) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80.0 metres of that intersection.

(4) Crisis Care Shelter

In the RM zone, a **crisis care shelter** must comply with the specific use regulations in Section 150.20. [ By-law: 545-2019 ]

(5) Day Nursery

A **day nursery** in the RM zone must comply with the specific use regulations in Section 150.45.

(6) Group Home or Residential Care Home

In the RM zone, a **group home** or a **residential care home** must comply with the specific use regulations in Section 150.15.

(7) Home Occupation

A **home occupation** in the RM zone must comply with the specific use regulations in Section 150.5.

(8) Nursing Home or Retirement Home

In the RM zone, a **nursing home**, **retirement home** or a combination of these two uses, must be on a **lot** that has a **front lot line** or **side lot line** abutting:

- (A) a major **street** on the Policy Areas Overlay Map; or

(B) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80.0 metres of that intersection.

(9) Place of Worship

In the RM zone, a **place of worship** must:

- (A) comply with the specific use regulations in Section 150.50;
- (B) be on a **lot** with:
  - (i) a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map;
  - (ii) a **lot area** of at least 2,000 square metres; and
  - (iii) a **lot frontage** of at least 30 metres;
- (C) be in a **building** with no more than 2,500 square metres of **gross floor area**; and
- (D) a **lawfully existing place of worship** is exempt from the requirements of regulation 10.80.20.100(9) (B) and (C).

(10) Private Home Daycare

A children's play area for a **private home daycare** in the RM zone:

- (A) must be fenced; and
- (B) may not be located in the **front yard** or a **side yard** abutting a **street**.

(11) Public Utility

In the RM zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(12) Public Utility

In the RM zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the RM zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(13) Respite Care Facility

In the RM zone, a **respite care facility** must be combined with a **nursing home** or **retirement home**.

(14) Rooming House

A rooming house in the RM zone must comply with the specific use regulations in Section 150.25.

(15) Secondary Suite

A **secondary suite** in the RM zone must comply with the specific use regulations in Section 150.10.

(16) Seniors Community House

A **seniors community house** in the RM zone must comply with the specific use regulations in Section 150.30.

(17) Transportation Use

A **building** or **structure** on a **lot** in the RM zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(18) Short-term Rental

A **short-term rental** in the RM zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 ]

(19) Laneway Suite

A **laneway suite** in the RM zone must comply with the specific use regulations in Section 150.8. [ By-law: 1210-2019 ]

(20) Garden Suite

A **garden suite** in the RM zone must comply with the specific use regulations in Section 150.7. [ By-law: 101-2022 ]

### 10.80.30 Lot Requirements

### 10.80.30.10 Lot Area

#### (1) Minimum Lot Area

In the RM zone:

- (A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum **lot area**, in square metres;
- (B) despite (A) above, if a **semi-detached house**, a **fourplex**, or an **apartment building** is on two **lots** in the RM zone, the required minimum **lot area** for each **lot** is 50% of the numerical value following the letter "a", in square metres; and
- (C) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum **lot area**, in square metres, is the required minimum **lot frontage** multiplied by 30 metres.

#### (2) Minimum Lot Area for Each Dwelling Unit in an Apartment Building

If a zone label applying to a **lot** in the RM zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum **lot area**, in square metres, for each **dwelling unit** in an **apartment building**.

### 10.80.30.20 Lot Frontage

#### (1) Minimum Lot Frontage

In the RM zone:

- (A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum **lot frontage**, in metres;
- (B) if the zone label does not include an "f" value on the Zoning By-law Map, the required minimum **lot frontage** is:
  - (i) 12.0 metres for a **lot** with a **detached house**;
  - (ii) 15.0 metres for a **lot** with an entire **semi-detached house**;
  - (iii) 18.0 metres for each **duplex** or **triplex** on a **lot**; and
  - (iv) 24.0 metres,
    - (a) for each **fourplex** or **apartment building** on a **lot**, or
    - (b) for a **lot** with a **non-residential building**; and
- (C) if a **semi-detached house**, a **fourplex**, or an **apartment building** is on two **lots** in the RM zone, the required minimum **lot frontage** for each **lot** is 50% of the requirements cited in (A) and (B) above.

### 10.80.30.40 Lot Coverage

#### (1) Maximum Lot Coverage

In the RM zone:

- (A) if a **lot** is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; and
- (B) if a **lot** is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

### 10.80.40 Principal Building Requirements

#### 10.80.40.1 General

##### (1) Application of this Article

The regulations in Article 10.80.40 apply to **buildings** or **structures** in the RM zone, other than **ancillary buildings** or **structures** which are subject to Article 10.5.60.

##### (2) Number of Dwelling Units on a Lot



If a zone label applying to a **lot** in the RM zone includes the letter "u", on the Zoning By-law Map, the numerical value following the letter "u" is the permitted maximum number of **dwelling units** on the **lot**.

#### 10.80.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RM zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map:
  - (i) 10.0 metres, for a **detached house** or **semi-detached house**; and
  - (ii) 12.0 metres, for any other **building** or **structure**.

(2) Maximum Height of Specified Pairs of Main Walls

In the RM zone, the permitted maximum height of the exterior portion of **main walls** for a **detached house** or a **semi-detached house** is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in regulation 10.80.40.10(1), for either (A) or (B) below:

- (A) for no less than 60% of the total width of:
  - (i) all front **main walls**; and
  - (ii) all rear **main walls**; or
- (B) all side **main walls**:
  - (i) for no less than 60% of the total width of the side **main walls** facing a **side lot line** that abuts a **street**; and
  - (ii) for no less than 100% of the total width of the side **main walls** that do not face a **side lot line** that abuts a **street**.

(3) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the RM zone is:

- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
- (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.

(4) Height of Main Pedestrian Entrance

In the RM zone, for a **detached house** or **semi-detached house**, the elevation of the lowest point of a main pedestrian entrance through the **front wall** or a side **main wall** may be no higher than 1.2 metres above **established grade**. [ By-law: PL130592 Mar\_2018 ]

(5) Width of Dormers in a Roof Above a Second Storey or Higher

In the RM zone, on a **detached house** or a **semi-detached house** with two or more **storeys**, the exterior sides of a dormer are not **main walls** if the total width of dormers projecting from the surface of a roof does not occupy more than 40% of the total width of the **building's main walls** on the same front, rear or side as the dormers, measured at the level of the uppermost **storey** below the roof.

#### 10.80.40.20 Building Length

(1) Maximum Building Length

In the RM zone, the permitted maximum **building length** for a **detached house** or a **semi-detached house** is 17.0 metres.

(2) One Storey Extension to Building Length if Required Lot Frontage is More than 12.0 Metres

In the RM zone, despite regulation 10.80.40.20(1), on a **lot** with a required minimum **lot frontage** of more than 12.0 metres for a **detached house** or for an entire **semi-detached house**, a **detached house** or **semi-detached house** may extend beyond the permitted maximum **building length** by a maximum of 2.0 metres, if the extended part:

- (A) has a maximum height of 5.0 metres and one **storey**;

- (B) is no wider than 50% of the width of the **dwelling unit** at its widest point; and
- (C) is at least 3.0 metres from each **side lot line**, not including a **side lot line** extending between the two **dwelling units** of the **semi-detached house**.

#### 10.80.40.30 Building Depth

(1) Maximum Building Depth

In the RM zone, the rear **main wall** of a **detached house** or **semi-detached house**, not including a one **storey** extension that complies with regulation 10.80.40.20(2), may be no more than 19.0 metres from the required minimum **front yard setback**.

#### 10.80.40.40 Floor Area

(1) Floor Space Index

In the RM zone, the permitted maximum floor space index is:

- (A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
- (B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, the floor space index is not limited by this regulation.

#### 10.80.40.50 Decks, Platforms and Amenities

(1) Platforms at or Above the Second Storey of a Detached House

In the RM zone, platforms such as a deck or balcony, with access from the second **storey** or above of a **detached house** must comply with the following:

- (A) there may be no more than a total of four platforms, and no more than one on each of the front, rear and each side of the **detached house**; and
- (B) the maximum area of each platform is 4.0 square metres.

(2) Platforms at or Above the Second Storey of a Semi-Detached House

In the RM zone, platforms such as a deck or balcony, with access from the second **storey** or above of a **semi-detached house** must comply with the following:

- (A) there may be no more than a total of three platforms for each **dwelling unit**, and no more than one on each of the front, rear and exterior side of the **dwelling unit**;
- (B) the maximum area of each platform is 4.0 square metres; and
- (C) a platform at the rear of the **dwelling unit** is at least 1.8 metres from the common wall dividing the **dwelling units**, or a projection of that common wall to a **lot line**.

#### 10.80.40.70 Setbacks

(1) Minimum Front Yard Setback

If regulation 10.5.40.70(1) does not apply, the required minimum **front yard setback** in the RM zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The required minimum **rear yard setback** in the RM zone is the greater of:

- (A) 7.5 metres; or
- (B) 25% of the **lot depth**.

(3) Minimum Side Yard Setback

The required minimum **side yard setback** in the RM zone is:

- (A) 1.2 metres for a **detached house**;
- (B) 1.5 metres for a **semi-detached house**;

- (C) 1.8 metres for a **duplex** or a **triplex**; and
- (D) 2.4 metres for a **fourplex**, an **apartment building**, or a **non-residential building**.

#### 10.80.40.80 Separation

(1) Distance Between Main Walls of the Same Apartment Building

In the RM zone, if an **apartment building** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required minimum above-ground separation distance between those **main walls** is:

- (A) 5.5 metres if there are no openings to **dwelling units** in one or more of those **main walls**; and
- (B) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.

(2) Distance Between Residential Buildings on the Same Lot

In the RM zone, if two or more **residential buildings** are located on the same **lot**, the required minimum above-ground separation distance between the **main walls** of the respective **buildings** is:

- (A) 5.5 metres if there are no openings to **dwelling units** in the **main wall** of one or more of the **buildings**; and
- (B) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.

#### 10.80.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings

In the RM zone, if the **lawful** separation distance between the **main walls** of **lawfully existing buildings** on the same **lot**, or between **main walls** of the same **lawfully existing building**, is less than the required minimum separation distance between **main walls** required by this By-law, that **lawful** separation distance is the minimum separation distance for those **lawful main walls** of the **lawfully existing building**.

(2) Additions to Lawfully Existing Buildings

In the RM zone, any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 10.80.40.81(1) must comply with the required minimum separation distance between **main walls** required by this By-law or be authorized by a Section 45 Planning Act minor variance.

## Chapter 15 Residential Apartment

### 15.5 Regulations Applying to the Residential Apartment Zone Category

#### 15.5.1 General

##### 15.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 15.5 apply to all lands, uses, **buildings** and **structures** in the Residential Apartment Zone category.

(2) Interpretation of the Residential Apartment Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Residential Apartment Zone category consists of the letters RA or RAC, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label

In the Residential Apartment Zone category, the letters following the zone symbol in the zone label have the following meaning:

- (A) the letter "f" and a numerical value indicates the required minimum **lot frontage** required for a **lot**, in metres;
- (B) the letter "a" and a numerical value indicates the required minimum **lot area** required for a **lot**, in square metres;
- (C) the letters "au" and a numerical value indicates the required minimum **lot area** required for each **dwelling unit** on a **lot**, in square metres;
- (D) the letter "u" and a numerical value indicates the permitted maximum number of **dwelling units** permitted on a **lot**; and
- (E) the letter "d" and a numerical value indicates the permitted maximum floor space index permitted for a **lot**.

#### 15.5.20 Permitted Uses

##### 15.5.20.1 General

(1) Lawfully Existing Public School, Private School

A **lawfully existing public school** or **private school** on a **lot** in the Residential Apartment Zone category is permitted on that **lot**, and:

- (A) any expansion or addition to the **lawfully existing public school** or **private school building** must comply with Section 150.48 and the requirements for the zone in which the **lot** is located; and
- (B) the **lawfully existing public school** or **private school** may be replaced with a new school **building** that complies with Section 150.48 and the requirements for the zone in which the **lot** is located.

#### 15.5.30 Lot Requirements

##### 15.5.30.1 General

(1) Lot Requirements

Additional **lot** requirements are in each zone in the Residential Apartment Zone category.

##### 15.5.30.11 Lot Area Exemptions

(1) Permitted Lot Area for Lawfully Existing Lots

In the Residential Apartment Zone category, if the **lawful lot area** of a **lawfully existing lot** is less than the minimum **lot area** required by this By-law, that **lawful lot area** is the minimum **lot area** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 15.5.30.11(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 15.5.30.20 Lot Frontage

(1) Minimum Front Lot Line for a Residential Building

In the Residential Apartment Zone category, a **residential building** may not be erected on a **lot** that does not have a **front lot line** of at least 3.5 metres, unless the **lot**:

- (A) abuts a **lane** with a minimum width of 6.0 metres; and
- (B) has a minimum of 3.5 metres of the **rear lot line** abutting the **lane**.

### 15.5.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the Residential Apartment Zone category, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage** by this By-law, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 15.5.30.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 15.5.30.40 Lot Coverage

(1) Lot Coverage Exclusion for Permitted Encroachments

In the Residential Apartment Zone category, any part of a **building** or **structure** permitted to encroach into a required minimum **building setback** in regulation 15.5.40.60 is not included in the calculation of **lot coverage**.

(2) Parts of Platforms that are Not Permitted Encroachments

In the Residential Apartment Zone category, any part of a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, that does not encroach into a required minimum **building setback** is not included in the calculation of **lot coverage**, if:

- (A) it is attached to or less than 0.3 metres from a **building**; and
- (B) the **lot area** covered by these **structures** is no more than 5% of the **lot area**.

### 15.5.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings

In the Residential Apartment Zone category, if the area of a **lot lawfully** covered by **lawfully existing buildings** or **structures** is greater than the permitted maximum **lot coverage** by this By-law, the **lawful** percentage of the **lot** covered by those **lawfully existing buildings** or **structures** is the maximum **lot coverage** for those **lawfully existing buildings** or **structures** on that **lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to **lawfully existing buildings** or **structures** referred to in regulation 15.5.30.41(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

## 15.5.40 Principal Building Requirements

### 15.5.40.1 General

(1) Application of this Article

The regulations in Article 15.5.40 apply to **buildings** or **structures** in the Residential Apartment Zone category, other than **ancillary buildings** or **structures** which are subject to Article 15.5.60.

(2) Building Requirements

Additional **building** requirements are in each zone in the Residential Apartment Zone category.

### 15.5.40.10 Height

(1) Determining the Height of a Building

In the Residential Apartment Zone category the height of a **building** is the distance between the **established grade** and the elevation of the highest point of the **building**.

(2) Height of Specific Structures on a Building

In the Residential Apartment Zone category, the following **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by:

(A) 1.5 metres for:

- (i) parapets for a **green roof**; and
- (ii) weather vanes; or

(B) 5.0 metres for:

- (i) antennae;
- (ii) flagpoles; and
- (iii) satellite dishes.

(3) Height of Elements for Functional Operation of a Building

In the Residential Apartment Zone category, the following equipment and **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres, subject to complying with regulation 15.5.40.10(4):

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above.

(4) Height - Horizontal Limits on Elements for Functional Operation of a Building

In the Residential Apartment Zone category, equipment, **structures** or parts of a **building** that exceed the maximum height for a **building**, as permitted by regulation 15.5.40.10(3), must comply with the following:

- (A) their total area may cover no more than 30% of the area of the roof, measured horizontally; and
- (B) if they are located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(5) Height of Rooftop Amenity Space Safety and Wind Protection

In the Residential Apartment Zone category, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

(6) Limits on Elements for Functional Operation of a Building for Towers

In the Residential Apartment Zone category:

- (A) Despite regulations 15.5.40.10 (3) and (4), equipment, **structures** or parts of a **building** listed in regulation 15.5.40.10 (3) located on the roof of the tower portion of a **building** may exceed the permitted maximum height for that **building** by 6.5 metres, if the total area of all equipment, **structures**, or parts on the roof of the tower portion of the **building** cover no more than 450 square metres, measured horizontally;
- (B) chimneys, pipes, and vents, may further exceed the permitted maximum height in (A) by 3.0 metres; and
- (C) For the purpose of regulation 15.5.40.10(6), a "tower" is the portions of a **building** which collectively enclose the entirety of a **storey** higher than 24.0 metres above the **established grade**, and where the maximum average

**gross floor area** of any **storey** located above 24.0 metres does not exceed 750 square metres. [ By-law: LPAT PL130592 March 6, 2020 ]

#### 15.5.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the Residential Apartment Zone category, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 15.5.40.11(1) must comply with the permitted maximum height for a **building** or be authorized by a Section 45 Planning Act minor variance.

(3) Alterations to the Roof of Lawfully Existing Buildings

Any alteration to the roof of a **lawfully existing building** referred to in regulation 15.5.40.11(1) may be constructed to the maximum height in regulation 15.5.40.11(1).

#### 15.5.40.40 Floor Area

(1) Gross Floor Area Calculations for an Apartment Building

In the Residential Apartment Zone category, the **gross floor area** of an **apartment building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below **established grade**;
- (B) required **loading spaces** and required **bicycle parking spaces** at or above **established grade**;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) indoor **amenity space** required by this By-law;
- (F) elevator shafts;
- (G) garbage shafts;
- (H) mechanical penthouse; and
- (I) exit stairwells in the **building**.

(2) Floor Space Index Calculation

In the Residential Apartment Zone category, the floor space index:

- (A) is the result of the **gross floor area** of a **building** divided by the area of the **lot**; and
- (B) for an **apartment building**, is the result of the **gross floor area**, minus the areas of an **apartment building** listed in regulation 15.5.40.40(1), divided by the area of the **lot**.

#### 15.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the Residential Apartment Zone category, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index greater than the permitted maximum floor space index, the **lawful** floor space index resulting from those **lawfully existing buildings** on that **lot** is the maximum floor space index for those **lawfully existing buildings** on that **lot**.

#### 15.5.40.50 Decks, Platforms and Amenities

(1) Interpretation of Platform Walls

In the Residential Apartment Zone category, the exterior sides of a platform, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of a **building**, are not **main walls** if at least 50% of the exterior sides above the floor are open to the outside.

(2) Platforms in Relation to Building Setbacks

In the Residential Apartment Zone category, a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of a **building**, must comply with the required minimum **building setbacks** for the zone.

#### 15.5.40.60 Permitted Encroachments

(1) Platforms

Despite regulation 15.5.40.50(2), in the Residential Apartment Zone category, a platform with no **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a **building**, is subject to the following:

- (A) a platform with a floor no higher than the first **storey** of the **building** may encroach into a required minimum **building setback** the lesser of 9.5 metres or 50% of the required minimum **building setback** for the yard in which it is located, and if it is located in the **front yard** or **rear yard**, it may be no closer to a **side lot line** than the required **side yard setback**; and
- (B) a platform with a floor that is higher than the first **storey** of the **building** may encroach into the required minimum **building setback** the lesser of 2.5 metres or 50% of the required minimum **building setback** for the yard in which it is located, and if it is located in the **front yard** or **rear yard**, it may be no closer to a **side lot line** than the required **side yard setback**.

(2) Canopies and Awnings

In the Residential Apartment Zone category, a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform which complies with the requirements of regulation 15.5.40.60(1), is subject to the following:

- (A) if it is above a platform which complies with the requirements of regulation 15.5.40.60(1), the roof, canopy, awning or similar **structure** may encroach into the required minimum **building setback** to the same extent as the platform it is covering; and
- (B) if it is not above a platform, it may encroach into a required minimum **building setback** the lesser of 9.5 metres or 50% of the required minimum **building setback** for the yard in which it is located, if it is:
  - (i) covering a **driveway**, walkway or outdoor **amenity space** adjacent to an entrance to the **building**; and
  - (ii) in the **front yard** or **rear yard**, it may be no closer to a **side lot line** than the required **side yard setback**.

(3) Exterior Stairs, Access Ramp and Elevating Device

In the Residential Apartment Zone category:

- (A) exterior stairs providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the stairs are:
  - (i) no longer than 1.5 horizontal units for each 1.0 vertical unit above the ground at the point where the stairs meet the **building** or **structure**;
  - (ii) no wider than 2.0 metres; and
  - (iii) no closer to a **lot line** than 0.6 metres;
- (B) an uncovered ramp providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the ramp is:
  - (i) no longer than 15 horizontal units for each 1.0 vertical unit above the ground at the point where the ramp meets the **building** or **structure**;
  - (ii) no wider than 1.5 metres for each sloped ramp segment; and
  - (iii) no closer to a **lot line** than 0.6 metres; and
- (C) an elevating device providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the elevating device:
  - (i) elevates no higher than the **first floor** of the **building**;
  - (ii) has a maximum area of 3.0 square metres; and



(iii) is no closer to a **lot line** than 0.6 metres.

#### 15.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings and Structures

In the Residential Apartment Zone category, if the **lawful building setback** of a **lawfully existing building or structure** is less than the required minimum **building setback** from:

- (A) a **front lot line**, that **lawful building setback** is the minimum **front yard setback** for that **lawfully existing building or structure**;
- (B) a **rear lot line**, that **lawful building setback** is the minimum **rear yard setback** for that **lawfully existing building or structure**; and
- (C) a **side lot line**, that **lawful building setback** is the minimum **side yard setback** for that **lawfully existing building or structure**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building or structure** referred to in regulation 15.5.40.71(1) must comply with the required minimum **building setbacks** or be authorized by a Section 45 Planning Act minor variance.

(3) Transportation Use Along Eglinton Avenue West and Eglinton Avenue East

Regulations 15.10.40.70 (1)(2)(3) and (4) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 15 metres. [103-2016] [ By-law: 1031-2014 ]

#### 15.5.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings

In the Residential Apartment Zone category, if the **lawful** separation distance between the **main walls** of **lawfully existing buildings** on the same **lot**, or between **main walls** of the same **lawfully existing building**, is less than the required minimum separation distance between **main walls** required by this By-law, that **lawful** separation distance is the minimum separation distance for those **lawful main walls** on those **lawfully existing buildings**.

(2) Additions to Lawfully Existing Buildings - Separation Between Main Walls

Any addition or extension to a **lawfully existing building** referred to in regulation 15.5.40.81(1) must comply with the minimum separation distance between **main walls** required by this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Permitted Separation from Other Zones for Lawfully Existing Buildings

In the Residential Apartment Zone category, if the **lawful** separation distance between a **lawfully existing apartment building** and a **lot** in an RD or RS zone is less than the required minimum separation distance required by this By-law, that **lawful** separation distance is the minimum separation distance between that **lawfully existing apartment building** and that **lot**.

(4) Additions to Lawfully Existing Buildings - Separation from Other Zones

Any addition or extension to a **lawfully existing apartment building** referred to in regulation 15.5.40.81(3) must comply with the required minimum separation distance from a **lot** in an RD or RS zone required by this By-law or be authorized by a Section 45 Planning Act minor variance.

#### 15.5.50 Yards

##### 15.5.50.10 Landscaping

(1) Landscaping Requirement for an Apartment Building

A **lot** in the Residential Apartment Zone category must have:

- (A) a minimum of 50% of the area of the **lot** for **landscaping**; and
- (B) a minimum of 50% of the **landscaping** area required in (A), above, must be **soft landscaping**.

(2) Landscaping Requirement for an Apartment Building Abutting a Lot in the Residential Zone Category

A **lot** in the Residential Apartment Zone category must have a minimum 1.5 metre wide strip of land for **soft landscaping** along any part of a **lot line** abutting a **lot** in the Residential Zone category.

(3) Landscaping Exclusion for Permitted Encroachments

In the Residential Apartment Zone category, the calculation of **landscaping** or **soft landscaping** required by regulation 15.5.50.10(1) excludes the area of a required minimum **building setback** covered by any part of a **building** or **structure** which is permitted to encroach into a required minimum **building setback** by Clause 15.5.40.60.

(4) Swimming Pools or Similar Ancillary Structures Containing Water Deemed to be Soft Landscaping for Specified Regulations

In the Residential Apartment Zone category, for the calculation of **soft landscaping** required by regulation 15.5.50.10(1), the area of **soft landscaping** may include the water surface area of an outdoor swimming pool or other **ancillary structure** used to hold water, such as fountains or artificial ponds.

## 15.5.60 Ancillary Buildings and Structures

### 15.5.60.1 General

(1) Application of this Article

The regulations in Article 15.5.60 apply to **ancillary buildings** or **structures** in the Residential Apartment Zone category, if they are **ancillary** to **dwelling units** or **residential buildings**.

(2) Living Accommodation in Ancillary Buildings

An **ancillary building** in the Residential Apartment Zone category may not be used for living accommodation.

(3) Food or Sanitary Facilities in Ancillary Buildings

An **ancillary building** in the Residential Apartment Zone category may have:

- (A) food preparation facilities and sanitary facilities if the **ancillary building** or **structure** is for indoor **amenity space** required by this By-law; or
- (B) either food preparation facilities or sanitary facilities, but not both, if the **ancillary building** or **structure** is for any other purpose.

(4) Ancillary Building or Structure Construction Timing

In the Residential Apartment Zone category, no above-ground part of an **ancillary building** or **structure** may be erected prior to the erection of the **main walls** and completion of the roof of a **residential building** on the same **lot**.

### 15.5.60.20 Setbacks

(1) Front Yard Setback for Ancillary Buildings or Structures

The required minimum **front yard setback** for an **ancillary building** or **structure** in the Residential Apartment Zone category is the required minimum **front yard setback** for the **residential building** on the **lot**.

(2) Rear Yard Setback for Ancillary Buildings or Structures

The required minimum **rear yard setback** for an **ancillary building** or **structure** in the Residential Apartment Zone category:

- (A) is 0.3 metres, if its:
  - (i) height is 2.5 metres or less; and
  - (ii) **gross floor area** is 10 square metres or less; or
- (B) is half of its height, if its:
  - (i) height is greater than 2.5 metres; or
  - (ii) **gross floor area** is greater than 10 square metres; except
- (C) on a **through lot**, despite (A) and (B) above, is the required minimum **front yard setback** for the **residential building** on the adjacent **lot**, if the **residential building** on the adjacent **lot** fronts on the **street** that abuts the **rear lot line** of the **through lot**.

(3) Side Yard Setback for Ancillary Buildings or Structures

In the Residential Apartment Zone category, the required minimum **side yard setback** for an **ancillary building** or **structure** located:

- (A) in a **side yard**, is the required minimum **side yard setback** for the **residential building** on the **lot**;
- (B) in a **rear yard** and less than 4.0 metres from the **residential building** on the **lot**, is the required minimum **side yard setback** for the **residential building**; and
- (C) in a **rear yard** and 4.0 metres or more from the **residential building** on the **lot**:
  - (i) is 0.3 metres, if its:
    - (a) height is 2.5 metres or less and
    - (b) **gross floor area** is 10 square metres or less, or
  - (ii) is half of its height, if its:
    - (a) height is greater than 2.5 metres or
    - (b) **gross floor area** is greater than 10 square metres; except
  - (iii) on a **corner lot**, despite (i) and (ii) above, is the required minimum **front yard setback** for the **residential building** on the adjacent **lot** fronts on the **street** that abuts the **side lot line** of the **corner lot**.

(4) Rear Yard Setback for Swimming Pools or Similar Ancillary Structures Containing Water

Despite regulation 15.5.60.20(2), in the Residential Apartment Zone category, the required minimum **rear yard setback** for an outdoor swimming pool or other **ancillary structure** used to hold water, such as a fountain or artificial pond, with a total water surface area greater than 3.0 square metres, is:

- (A) 4.5 metres; and
- (B) 7.5 metres, if it is on a **through lot**.

(5) Side Yard Setback for Swimming Pools or Similar Ancillary Structures Containing Water

Despite regulation 15.5.60.20(3), in the Residential Apartment Zone category, the required minimum **side yard setback** for an outdoor swimming pool or other **ancillary structure** used to hold water, such as a fountain or artificial pond, with a total water surface area greater than 3.0 square metres, is:

- (A) 4.5 metres; and
- (B) if it is on a **corner lot**, 7.5 metres from the **side lot line** abutting a **street**.

(6) Parts of an Ancillary Building or Structure to which a Required Building Setback Applies

In the Residential Apartment Zone category, required minimum **ancillary building setback** regulations apply to all parts of an **ancillary building** or **structure** above and below-ground, excluding footings.

### 15.5.60.30 Separation

(1) Minimum Separation Between Residential Buildings and Ancillary Buildings or Structures of a Certain Size

In the Residential Apartment Zone category, an **ancillary building** or **structure** with a height greater than 2.5 metres, or a **gross floor area** greater than 10 square metres, must be at least 4.0 metres from a **residential building** on the same **lot**.

(2) Separation of Swimming Pools or Similar Ancillary Structures Containing Water from RD Zones

In the Residential Apartment Zone category, an outdoor swimming pool or other **ancillary structure** used to hold water, such as a fountain or artificial pond, with a total water surface area greater than 3.0 square metres, must be at least 12.0 metres from a **lot** in the RD zone.

### 15.5.60.40 Height

(1) Determining the Height of Ancillary Buildings or Structures

In the Residential Apartment Zone category, the height of an **ancillary building** or **structure** is the distance between **average grade** and the elevation of the highest point of the **ancillary building** or **structure**.

(2) Maximum Height of Ancillary Buildings or Structures

The permitted maximum height of an **ancillary building** or **structure** in the Residential Apartment Zone category is:

- (A) 2.5 metres, if the **ancillary building** or **structure** is less than 4.0 metres from the **residential building** on the **lot**; or
- (B) 4.0 metres in all other cases.

#### 15.5.60.50 Floor Area

(1) Inclusion in Floor Space Index

The **gross floor area** of all **ancillary buildings** on a **lot** in the Residential Apartment Zone category is included for the purpose of calculating the total **gross floor area** and floor space index for the **lot**.

(2) Maximum Floor Area of Ancillary Buildings or Structures Close to Residential Buildings

In the Residential Apartment Zone category, the permitted maximum **gross floor area** of an **ancillary building** located less than 4.0 metres from the **residential building** on the **lot** is 10.0 square metres.

#### 15.5.60.70 Lot Coverage

(1) Lot Coverage Requirement for Ancillary Buildings and Structures

An **ancillary building** or **structure** on a **lot** in the Residential Apartment Zone category, other than the water surface area of an outdoor swimming pool or other **ancillary structure** used to hold water, such as fountains or artificial ponds:

- (A) is included in the overall calculation of **lot coverage**; and
- (B) the area of the **lot** covered by all **ancillary buildings** and **structures** may not exceed 10% of the **lot area**.

(2) Lot Coverage Requirement for Swimming Pools or Similar Ancillary Structures Containing Water

In the Residential Apartment Zone category, the water surface area of an outdoor swimming pool or other **ancillary structure** used to hold water, such as fountains or artificial ponds:

- (A) is not included in the calculation of **lot coverage**; and
- (B) the water surface area may not exceed 15% of the **lot area**.

#### 15.5.75 Energy Regulations

##### 15.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device

In the Residential Apartment Zone category, a device producing **renewable energy** or **cogeneration energy** on a **lot** may not be in a **front yard** or a **side yard** that abuts a **street**.

(2) Cogeneration Energy Device

In the Residential Apartment Zone category, a **cogeneration energy** device must be inside a permitted **building**.

(3) Geo-energy Device

In addition to the requirements of regulation 15.5.75.1(1), in the Residential Apartment Zone category any above-ground part of a **geo-energy** device must comply with the requirements for:

- (A) a **building** or **structure** on the **lot**; or
- (B) if it is on a **lot** with a **residential building**, an **ancillary building** or **structure** on the **lot**.

(4) Solar Energy Device

In the Residential Apartment Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

- (A) on a **building**:
  - (i) must comply with the required minimum **building setbacks** for a **building** on the **lot**; and
  - (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the **building**; and
- (B) ground mounted, must comply with the requirements for:

- (i) a **building** or **structure** on the **lot**; and
- (ii) an **ancillary building** or **structure**, if it is on a **lot** with a **residential building**.

(5) Wind Energy Device

In the Residential Apartment Zone category, a **wind energy** device must comply with the following:

- (A) there may be no more than one **wind energy** device on a **lot**;
- (B) all parts of a **wind energy** device on a **lot** must comply with the required minimum **building setbacks** for a **building** on the **lot**; and
- (C) no part of a **wind energy** device may be higher than:
  - (i) 3.0 metres above the permitted maximum height for the **building** if:
    - (a) the permitted maximum height for the **building** is less than 24.0 metres; or
    - (b) the **lot** abuts a **lot** in the Residential Zone category; and
  - (ii) in all other cases, 5.0 metres above the permitted maximum height for the **building**.

## 15.5.80 Parking

### 15.5.80.1 General

(1) Use of Required Parking Space

A **parking space** required by this By-law for a use in the Residential Apartment Zone category must be available for the use for which it is required.

(2) Charging for Visitor Parking

(Deleted by LPAT Order PL130592, March 16, 2020) [ By-law: LPAT PL130592 March 16, 2020 ]

### 15.5.80.10 Location

(1) Location of Required Parking Spaces

In the Residential Apartment Zone category, a **parking space** must be on the same **lot** as the use for which the **parking space** is required.

(2) Parking Space Location for Apartment Buildings

A minimum of 50% of the required **parking spaces** for an **apartment building** in the Residential Apartment Zone category, other than required visitor **parking spaces**, must be in a **building** or underground **structure**.

(3) Commercial Vehicle Parking Restriction

A **parking space** on a **lot** in the Residential Apartment Zone category may be used for a commercial **vehicle**, if:

- (A) an owner or tenant of a **dwelling unit** on the **lot** is the owner or operator of the **vehicle**; and
- (B) it is located within a wholly enclosed **building**.

(4) Commercial Vehicle Parking Not Permitted in Yards

A **parking space** located outside of a **building** in the Residential Apartment Zone category may not be used for:

- (A) commercially licensed **vehicles**;
- (B) construction **vehicles**;
- (C) dump trucks;
- (D) agricultural **vehicles**;
- (E) repair or towing **vehicles**;
- (F) tracked **vehicles**;
- (G) **vehicles** with a traction engine;
- (H) **vehicles** designed to run only on rails; and
- (I) **vehicles** equipped with more than six wheels, excluding spare wheels.

#### 15.5.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

In the Residential Apartment Zone category, a **parking space** that is not located in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

#### 15.5.80.30 Separation

(1) Parking Space Separation from Apartment Building

In the Residential Apartment Zone category, a surface **parking space** must be at least 3.0 metres from any **main wall** of an **apartment building**.

#### 15.5.100 Access to Lot

##### 15.5.100.1 General

(1) Driveway Width

In the Residential Apartment Zone category, a **driveway** exclusive of layby areas, **vehicle** ramps to below-ground parking areas, turnaround areas and required auxiliary turn lanes within 10.0 metres of a **lot line** abutting a **street** must have:

- (A) A minimum width of 3.0 metres for each lane; and
- (B) A maximum width of 6.0 metres. [ By-law: LPAT PL130592 May 8, 2019 ]

(2) Driveway Access to Apartment Buildings

If an **apartment building** in the Residential Apartment Zone category has 25 **dwelling units** or more, an unobstructed **vehicle** access must be provided between the **street** and the principal pedestrian entrance to the **building** so that a **vehicle** can enter and leave the **lot** while driving forward in one continuous movement.

#### 15.5.150 Waste

##### 15.5.150.1 General

(1) Waste and Recyclable Materials Storage

In the Residential Apartment Zone category, all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013.

## 15.10 Residential Apartment Zone (RA)

### 15.10.1 General

#### 15.10.1.10 Interpretation

(1) Application of This Section

The regulations in Section 15.10 apply to all lands, uses, **buildings** and **structures** in the RA zone.

### 15.10.20 Permitted Uses

#### 15.10.20.10 Permitted Use

(1) Use - RA Zone

The following uses are permitted in the RA zone:

Ambulance Depot

**Dwelling Unit** in a permitted **residential building** type in Clause 15.10.20.40.

Fire Hall

**Municipal Shelter**

**Park**

Police Station [ By-law: 545-2019 ]

#### 15.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions - RA Zone

The following uses are permitted in the RA zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 15.10.20.100:

**Cogeneration Energy** (1)

**Community Centre** (2)

**Crisis Care Shelter** (3)

**Day Nursery** (4)

**Group Home** (5)

**Home Occupation** (6)

Library (2)

**Nursing Home** (7)

**Place of Worship** (8)

**Private Home Daycare** (9)

**Public Utility** (10, 11)

**Renewable Energy** (1)

**Residential Care Home** (5)

**Respite Care Facility** (12)

**Retail Store** (13)

**Retirement Home** (7)

**Rooming House** (14)

**Secondary Suite** (15)

**Seniors Community House** (16)

**Short-term Rental** (18) [By-law 1453-2017]

**Transportation Use** (17)

[ By-law: 545-2019 ]

#### 15.10.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RA Zone

In the RA zone, a **dwelling unit** is permitted in the following **residential building types**:

**(A) Apartment Building.**

**15.10.20.100 Conditions**

**(1) Cogeneration Energy Production or Renewable Energy Production**

In the RA zone, **cogeneration energy** production or **renewable 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.

**(2) Community Centre or Library**

In the RA zone, a **community centre** or a library must be on a **lot** that abuts a major **street** on the Policy Areas Overlay Map.

**(3) Crisis Care Shelter**

In the RA zone, a **crisis care shelter** must comply with the specific use regulations in Section 150.20. [ By-law: 545-2019 ]

**(4) Day Nursery**

A **day nursery** in the RA zone must comply with the specific use regulations in Section 150.45.

**(5) Group Home or Residential Care Home**

In the RA zone, a **group home** or a **residential care home** must comply with the specific use regulations in Section 150.15.

**(6) Home Occupation**

A **home occupation** in the RA zone must comply with the specific use regulations in Section 150.5.

**(7) Nursing Home or Retirement Home**

In the RA zone, a **nursing home**, **retirement home** or a combination of these two uses, must be on a **lot** that has a **front lot line** or **side lot line** abutting:

(A) a major **street** on the Policy Areas Overlay Map; or

(B) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80 metres of that intersection.

**(8) Place of Worship**

In the RA zone:

(A) a **place of worship** may be on a **lot** with an **apartment building**, if the **lot** has 100 or more **dwelling units** in one or more **apartment buildings**, and the **place of worship**:

(i) is inside an **apartment building**;

(ii) is not above the first **storey** of the **apartment building**;

(iii) does not exceed 30.0 square metres in **interior floor area** for the first 100 **dwelling units** in the **apartment building**, which may be increased by 10.0 square metres for each additional 50 **dwelling units** in excess of 100, to a maximum of 110.0 square metres; and

(iv) access to the **place of worship** must be from within the **apartment building**, unless it is on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map;

(B) if a **place of worship** is not on a **lot** with an **apartment building**, it must:

(i) comply with the specific use regulations in Section 150.50;

(ii) be on a **lot** with:

(a) a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map; and

(b) a **lot area** of at least 2,000 square metres; and

(iii) be in a **building** with no more than 3,000 square metres of **gross floor area**; and

(C) a **lawfully existing place of worship** is exempt from the requirements of regulation 15.10.20.100(8)(B) (ii) and (iii).

**(9) Private Home Daycare**

A children's play area for a **private home daycare** in the RA zone:



- (A) must be fenced; and
- (B) may be no closer to a **lot line** abutting a **street** than 6.0 metres.

(10) Public Utility

In the RA zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(11) Public Utility

In the RA zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum **building** height for the RA zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(12) Respite Care Facility

In the RA zone, a **respite care facility** must be combined with a **nursing home** or **retirement home**.

(13) Retail Stores in Apartment Buildings

In the RA zone, a **retail store** may be on a **lot** with 100 or more **dwelling units** in one or more **apartment buildings**, subject to the following:

- (A) there may be only one **retail store** in an **apartment building**;
- (B) it must be located inside the **apartment building**;
- (C) it may not be above the first **storey** of the **apartment building**;
- (D) access to the **retail store** must be from within the **apartment building**, unless it is on a **lot** with a **front lot line** or a **side lot line** abutting a major **street** on the Policy Areas Overlay Map;
- (E) there may be no outside display of goods; and
- (F) the **interior floor area** of the **retail store** may not exceed 30.0 square metres for the first 100 **dwelling units** in the **apartment building**, which may be increased by 10.0 square metres for each additional 50 **dwelling units** in excess of 100, to a maximum of 110.0 square metres.

(14) Rooming House

A rooming house in the RA zone must comply with the specific use regulations in Section 150.25.

(15) Secondary Suite

A **secondary suite** in the RA zone must comply with the specific use regulations in Section 150.10.

(16) Seniors Community House

A **seniors community house** in the RA zone must comply with the specific use regulations in Section 150.30.

(17) Transportation Use

A **building** or **structure** on a **lot** in the RA zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(18) Short-term Rental

A **short-term rental** in the RA zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 ]

## 15.10.30 Lot Requirements

### 15.10.30.10 Lot Area

(1) Minimum Lot Area

In the RA zone:

- (A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum **lot area**, in square metres; and

(B) if the zone label on the Zoning By-law Map does not include an "a" value on the Zoning By-law Map, the required minimum **lot area**, in square metres, is the required minimum **lot frontage** multiplied by 30 metres.

(2) Minimum Lot Area for Each Dwelling Unit in an Apartment Building

If a zone label applying to a **lot** in the RA zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum **lot area**, in square metres, for each **dwelling unit** in an **apartment building**.

### 15.10.30.20 Lot Frontage

(1) Minimum Lot Frontage

In the RA zone:

- (A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum **lot frontage**, in metres; and
- (B) if the zone label on the Zoning By-law Map does not include an "f" value on the Zoning By-law Map, the required minimum **lot frontage** is 24.0 metres.

### 15.10.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the RA zone:

- (A) if a **lot** is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; and
- (B) if a **lot** is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

## 15.10.40 Principal Building Requirements

### 15.10.40.1 General

(1) Application of this Article

The regulations in Article 15.10.40 apply to **buildings** or **structures** in the RA zone, other than **ancillary buildings** or **structures** which are subject to Article 15.5.60.

(2) Number of Dwelling Units on a Lot

If a zone label applying to a **lot** in the RA zone includes the letter "u", on the Zoning By-law Map, the numerical value following the letter "u" is the permitted maximum number of **dwelling units** on the **lot**.

### 15.10.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RA zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 24.0 metres, if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map.

(2) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the RA zone is:

- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
- (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the permitted maximum number of **storeys** is not limited by this regulation.

### 15.10.40.40 Floor Area

(1) Floor Space Index

In the RA zone, the permitted maximum floor space index is:

- (A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
- (B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, the floor space index is not limited by this regulation.

#### 15.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space for an Apartment Building

In the RA zone, an **apartment building** with 20 or more **dwelling units** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- (A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space** located at or above **established grade**; [ By-law: 1353-2015 ]
- (B) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
- (C) no more than 25% of the outdoor component may be a **green roof**.

#### 15.10.40.70 Setbacks

(1) Minimum Front Yard Setback

The required minimum **front yard setback** in the RA zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The required minimum **rear yard setback** in the RA zone is 7.5 metres.

(3) Minimum Side Yard Setback

The required minimum **side yard setback** in the RA zone is 7.5 metres.

(4) Rear Yard Setbacks and Side Yard Setbacks in Relation to the Height of an Apartment Building

Despite regulation 15.10.40.70(2) and (3), for any portion of an **apartment building** in the RA zone with a height greater than 11.0 metres, the required minimum **rear yard setback** and required minimum **side yard setbacks** for each portion of the **building** above 11.0 metres in height must be increased by 1.0 metre for each additional 2.0 metres, or part thereof, above 11.0 metres in height.

#### 15.10.40.80 Separation

(1) Distance Between Main Walls of the Same Residential Building

In the RA zone, if a **residential building** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required minimum above-ground separation distance between those **main walls** is:

- (A) for any portion of the **building** with a height equal to or less than 11.0 metres:
  - (i) 5.5 metres if there are no openings to **dwelling units** in one or more of those **main walls**; and
  - (ii) 11.0 metres if each **main wall** has an opening to a **dwelling unit**; and
- (B) for any portion of the **building** with a height greater than 11.0 metres, a distance equal to the average height of those **main walls**.

(2) Distance Between Residential Buildings on the Same Lot

In the RA zone, if two or more **residential buildings** are located on the same **lot**, the required minimum above-ground separation distance between the **main walls** of the respective **buildings** is:

- (A) for any portion of the **buildings** with a height equal to or less than 11.0 metres:
  - (i) 5.5 metres if there are no openings to **dwelling units** in the **main wall** of one or more of the **buildings**; and

- (ii) 11.0 metres if each **main wall** has an opening to a **dwelling unit**; and
  - (B) for any portion of the **buildings** with a height greater than 11.0 metres, a distance equal to the average height of those **buildings**.
- (3) Apartment Building Separation from RD and RS Zones  
An **apartment building** in the RA zone must be at least 15.0 metres from a **lot** in an RD or RS zone.

## 15.20 Residential Apartment Commercial (RAC)

### 15.20.1 General

#### 15.20.1.10 Interpretation

(1) Application of This Section

The regulations in Section 15.20 apply to all lands, uses, **buildings** and **structures** in the RAC zone.

### 15.20.20 Permitted Uses

#### 15.20.20.10 Permitted Use

(1) Use - RAC Zone

The following uses are permitted in the RAC zone:

Ambulance Depot

**Dwelling Unit** in a permitted **residential building** type in Clause 15.20.20.40.

Fire Hall

**Municipal Shelter**

**Park**

Police Station [ By-law: 545-2019 ]

#### 15.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - RAC Zone

The following uses are permitted in the RAC zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 15.20.20.100:

**Art Gallery** (1)

**Artist Studio** (1)

**Automated Banking Machine** (2)

**Club** (1)

**Cogeneration Energy** (3)

**Community Centre** (4)

**Crisis Care Shelter** (5)

**Custom Workshop** (1)

**Day Nursery** (6)

**Eating Establishment** (1, 7)

**Education Use** (1)

**Financial Institution** (1)

**Group Home** (8)

**Home Occupation** (9)

**Library** (4)

**Market Garden** (10)

**Medical Office** (1)

**Nursing Home** (11)

**Office** (1)

**Outdoor Sales or Display** (12)

**Performing Arts Studio** (1)

**Personal Service Shop** (1)

**Pet Services** (1)

**Place of Worship** (13)

**Production Studio** (1)

**Private Home Daycare** (14)

**Public Utility** (15, 16)

**Recreation Use** (1)

Religious Education Use (1)  
Renewable Energy (3)  
**Residential Care Home (8)**  
Respite Care Facility (17)  
Retail Store (1)  
Retail Service (1)  
Retirement Home (11)  
**Rooming House (18)**  
Secondary Suite (19)  
Seniors Community House (20)  
Service Shop (1)  
Short-term Rental (22) [By-law 1453-2017]  
Take-out Eating Establishment (1)  
Transportation Use (21)  
Veterinary Hospital (1) [ By-law: 545-2019 ]

#### 15.20.20.40 Permitted Building Types

(1) Permitted Building Types for Dwelling Units

In the RAC zone the following **residential building** types for **dwelling units** are permitted:

(A) **Apartment Building**. [ By-law: 1092-2021 ]

#### 15.20.20.100 Conditions

(1) Art Gallery and Other Commercial and Non-Residential Uses

In the RAC zone, an **art gallery, artist studio, club, custom workshop, eating establishment, education use, financial institution, medical office, office, performing arts studio, personal service shop, pet services, production studio, recreation use, religious education use, retail store, retail service, service shop, takeout eating establishment** or a **veterinary hospital** may be located on a **lot** with 100 or more **dwelling units** in one or more **apartment buildings**, subject to the following:

- (A) they are not located above the first **storey** of an **apartment building**;
- (B) a **service shop** or a **veterinary hospital** are located in **non-residential buildings** on the **lot**;
- (C) if located in an **apartment building**, the uses may not occupy, in total, more than 50% of the **interior floor area** of the first **storey** in that **apartment building**;
- (D) the total **interior floor area** of the uses may not exceed 400 square metres for the first 100 **dwelling units** on the **lot**, which may be increased by 50 square metres of **interior floor area** for each additional 25 **dwelling units** in excess of 100, to a maximum of 1,000 square metres of **interior floor area**;
- (E) the **interior floor area** of an individual establishment may not exceed 200 square metres; and
- (F) the calculation of total **interior floor area** is reduced by the area in the **building** used for:
  - (i) the same **building** areas as provided for in the calculation of **gross floor area** for an **apartment building** in regulation 15.5.40.40(1); and
  - (ii) in the case of an **eating establishment** or a **take-out eating establishment**, the areas used for associated offices, storage rooms, and staff rooms located in the **basement**. [ By-law: 0572-2014 ] [ By-law: 0572-2014; 1092-2021 ]

(2) Automated Banking Machine

In the RAC zone, an **automated banking machine** must be located in a **building**.

(3) Cogeneration Energy Production or Renewable Energy Production

In the RAC zone, **cogeneration energy** production or **renewable 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.

(4) Community Centre or Library

In the RAC zone:

(A) a **community centre** or a library may be on a **lot** with an **apartment building**, if the **lot** has 100 or more **dwelling units** in one or more **apartment buildings**, and:

(i) if the **community centre** or library is located in an **apartment building**, they may not:

- (a) be above the first **storey**;
- (b) in total, occupy more than 50% of the **interior floor area** of the first **storey**; and
- (c) in total, exceed 600 square metres in **interior floor area**; and

(ii) if the **community centre** or library is not in an **apartment building**, they may not, in total, exceed 600 square metres in **interior floor area**; and

(B) if a **community centre** or a library is not on a **lot** with an **apartment building**, it must be on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map.

(5) Crisis Care Shelter

In the RAC zone, a **crisis care shelter** must comply with the specific use regulations in Section 150.20. [ By-law: 545-2019 ]

(6) Day Nursery

A **day nursery** in the RAC zone must comply with the specific use regulations in Section 150.45.

(7) Eating Establishment - Other Uses

In the RAC zone, other uses with an **eating establishment**:

- (A) may occupy a maximum of 6% of the total **interior floor area** of the **eating establishment** to a maximum of 12 square metres; and
- (B) must be entirely within the **building** where the **eating establishment** is located.

(8) Group Home or Residential Care Home

In the RAC zone, a **group home** or a **residential care home** must comply with the specific use regulations in Section 150.15.

(9) Home Occupation

A **home occupation** in the RAC zone must comply with the specific use regulations in Section 150.5.

(10) Market Garden

In the RAC zone, a market garden may not be used for the growing and harvesting of shrubs or trees for the purpose of sale. [ By-law: 1774-2019 ]

(11) Nursing Home or Retirement Home

In the RAC zone, a **nursing home**, **retirement home** or a combination of these two uses, must be on a **lot** that has a **front lot line** or **side lot line** abutting:

- (A) a major **street** on the Policy Areas Overlay Map; or
- (B) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80 metres of that intersection.

(12) Outdoor Sales or Display

In the RAC zone, the outdoor sale or display of goods or commodities is subject to the following:

- (A) the goods or commodities may not be displayed closer to a **dwelling unit** than 7.5 metres;
- (B) despite (A), above, the outdoor sale or display of goods or commodities in combination with a permitted use inside an **apartment building** may be located abutting that use if the area for the outdoor sale or display of those goods or commodities does not exceed 10 square metres;
- (C) the goods or commodities may not be displayed closer to a **rear lot line** or a **side lot line** than:
  - (i) 3.0 metres where the **lot line** abuts a **street**; and
  - (ii) 7.5 metres in all other cases;
- (D) the total area for the outdoor sale or display of goods or commodities may not exceed 400 square metres for the first 100 **dwelling units** on the **lot**, which may be increased by 50 square metres for each additional 25 **dwelling units** in excess of 100, to a maximum of 1,000 square metres; and
- (E) the area for the outdoor sale or display of goods or commodities may not be located in areas required by this By-law for parking, loading, **driveways** or outdoor **amenity space**. [ By-law: 0572-2014 ]

(13) Place of Worship

In the RAC zone:

(A) a **place of worship** may be on a **lot** with an **apartment building**, if the **lot** has 100 or more **dwelling units** in one or more **apartment buildings**, and:

(i) if the **place of worship** is inside an **apartment building**, it may not:

(a) be above the first **storey**;

(b) occupy more than 50% of the **interior floor area** of the first **storey**; and

(c) exceed 110 square metres in **interior floor area**; and [ By-law: 0572-2014 ]

(ii) if the **place of worship** is not inside an **apartment building**, it may not exceed 110 square metres in **interior floor area**; [ By-law: 0572-2014 ]

(B) if a **place of worship** is not on a **lot** with an **apartment building**, it must:

(i) comply with the specific use regulations in Section 150.50;

(ii) be on a **lot** with:

(a) a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map; and

(b) a **lot area** of at least 2,000 square metres; and

(iii) be in a **building** with no more than 3,000 square metres of **gross floor area**; and

(C) a **lawfully existing place of worship** is exempt from the requirements of regulation 15.20.20.100(13)(B) (ii) and (iii).

(14) Private Home Daycare

A children's play area for a **private home daycare** in the RAC zone:

(A) must be fenced; and

(B) may be no closer to a **lot line** abutting a **street** than 6.0 metres.

(15) Public Utility

In the RAC zone, a **public utility** may not be:

(A) a sewage treatment plant;

(B) a water filtration plant; or

(C) an above-ground water reservoir.

(16) Public Utility

In the RAC zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the RAC zone if it is:

(A) a hydro electric transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]

(B) a natural gas regulator station.

(17) Respite Care Facility

In the RAC zone, a **respite care facility** must be combined with a **nursing home** or **retirement home**.

(18) Rooming House

A rooming house in the RAC zone must comply with the specific use regulations in Section 150.25.

(19) Secondary Suite

A **secondary suite** in the RAC zone must comply with the specific use regulations in Section 150.10.

(20) Seniors Community House

A **seniors community house** in the RAC zone must comply with the specific use regulations in Section 150.30.

(21) Transportation Use

A **building** or **structure** on a **lot** in the RAC zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

## 15.20.30 Lot Requirements



### 15.20.30.10 Lot Area

(1) Minimum Lot Area

In the RAC zone:

- (A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum **lot area**, in square metres; and
- (B) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum **lot area**, in square metres, is the required minimum **lot frontage** multiplied by 30 metres.

(2) Minimum Lot Area for Each Dwelling Unit in an Apartment Building

If a zone label applying to a **lot** in the RAC zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum **lot area**, in square metres, required for each **dwelling unit** in an **apartment building**.

### 15.20.30.20 Lot Frontage

(1) Minimum Lot Frontage

In the RAC zone:

- (A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum **lot frontage**, in metres; and
- (B) if the zone label does not include an "f" value on the Zoning By-law Map, the required minimum **lot frontage** is 24.0 metres.

### 15.20.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the RAC zone:

- (A) if a **lot** in the RAC zone is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; and
- (B) if a **lot** in the RAC zone is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

## 15.20.40 Principal Building Requirements

### 15.20.40.1 General

(1) Application of this Article

The regulations in Article 15.20.40 apply to **buildings** or **structures** in the RAC zone, other than **ancillary buildings** or **structures** which are subject to Article 15.5.60.

(2) Number of Dwelling Units on a Lot

If a zone label applying to a **lot** in the RAC zone includes the letter "u", on the Zoning By-law Map, the numerical value following the letter "u" is the permitted maximum number of **dwelling units** on the **lot**.

### 15.20.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the RAC zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 24.0 metres, if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map.

(2) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the RAC zone is:

- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
- (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.

#### 15.20.40.40 Floor Area

(1) Floor Space Index

In the RAC zone, the permitted maximum floor space index is:

- (A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
- (B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, the floor space index is not limited by this regulation.

#### 15.20.40.50 Decks, Platforms and Amenities

(1) Amenity Space for an Apartment Building

In the RAC zone, an **apartment building** with 20 or more **dwelling units** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- (A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**;
- (B) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
- (C) no more than 25% of the outdoor component may be a **green roof**.

#### 15.20.40.70 Setbacks

(1) Minimum Front Yard Setback

The required minimum **front yard setback** in the RAC zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The required minimum **rear yard setback** in the RAC zone is 7.5 metres.

(3) Minimum Side Yard Setback

The required minimum **side yard setback** in the RAC zone is 7.5 metres.

(4) Rear Yard Setbacks and Side Yard Setbacks in Relation to the Height of an Apartment Building

Despite regulation 15.20.40.70(2) and (3), for any portion of an **apartment building** in the RAC zone with a height greater than 11.0 metres, the required minimum **rear yard setback** and required minimum **side yard setbacks** for each portion of the **building** above 11.0 metres in height must be increased by 1.0 metres for each additional 2.0 metres, or part thereof, above 11.0 metres in height.

#### 15.20.40.80 Separation

(1) Distance Between Main Walls of the Same Residential Building

In the RAC zone, if a **residential building** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the required minimum above-ground separation distance between those **main walls** is:

- (A) for any portion of the **building** with a height equal to or less than 11.0 metres:
  - (i) 5.5 metres if there are no openings to **dwelling units** in one or more of those **main walls**; and
  - (ii) 11.0 metres if each **main wall** has an opening to a **dwelling unit**; and
- (B) for any portion of the **building** with a height greater than 11.0 metres, a distance equal to the average height of those **main walls**.

(2) Distance Between Residential Buildings on the Same Lot

In the RAC zone, if two or more **residential buildings** are located on the same **lot**, the required minimum above-ground separation distance between the **main walls** of the respective **buildings** is:

(A) for any portion of the **buildings** with a height equal to or less than 11.0 metres:

(i) 5.5 metres if there are no openings to **dwelling units** in the **main wall** of one or more of the **buildings**; and

(ii) 11.0 metres if each **main wall** has an opening to a **dwelling unit**; and

(B) for any portion of the **buildings** with a height greater than 11.0 metres, a distance equal to the average height of those **buildings**.

(3) Distance Between Residential and Non-Residential Buildings on the Same Lot

In the RAC zone, if a **non-residential building** is on the same **lot** as a **residential building**, the required minimum above-ground separation distance between the **main walls** of the **non-residential building** and the **residential building** is:

(A) 11.0 metres if there is an opening to a **dwelling unit** in the **main wall** of the **residential building** facing the **non-residential building**; and

(B) 7.5 metres in all other cases. [ By-law: 0572-2014 ]

(4) Apartment Building Separation from RD and RS Zones

An **apartment building** in the RAC zone must be at least 15.0 metres from a **lot** in an RD or RS zone. [ By-law: 0572-2014 ]

## Chapter 30 Commercial

### 30.5 Regulations Applying to the Commercial Zone Category

#### 30.5.1 General

##### 30.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 30.5 apply to all lands, uses, **buildings** and **structures** in the Commercial Zone category.

(2) Interpretation of the Commercial Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Commercial Zone category consists of the letters CL, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label

In the Commercial Zone category, the numerical value following the zone symbol in the zone label on the Zoning By-law Map indicates the permitted maximum floor space index of all land uses on a **lot**.

#### 30.5.20 Permitted Uses

##### 30.5.20.1 General

(1) Lawfully Existing Public School, Private School

A **lawfully existing public school** or **private school** on a **lot** in the Commercial Zone category is permitted on that **lot**, and:

- (A) any expansion or addition to the **lawfully existing public school** or **private school building** must comply with Section 150.48 and the requirements for the zone in which the **lot** is located; and
- (B) the **lawfully existing public school** or **private school** may be replaced with a new school **building** that complies with Section 150.48 and the requirements for the zone in which the **lot** is located.

(2) Lawfully Existing Place of Worship

A **lawfully existing place of worship** on a **lot** in the Commercial Zone category is permitted on that **lot**, and:

- (A) any expansion or addition to the **lawfully existing place of worship building** must comply with Section 150.50 and the requirements for the zone in which the **lot** is located; and
- (B) the **lawfully existing place of worship** may be replaced with a new **place of worship building** that complies with Section 150.50 and the requirements for the zone in which the **lot** is located.

#### 30.5.40 Principal Building Requirements

##### 30.5.40.1 General

(1) Building Requirements

Additional **building** requirements are in each zone in the Commercial Zone category.

##### 30.5.40.10 Height

(1) Determining the Height of Buildings in Commercial Zones

In the Commercial Zone category, the height of a **building** is the distance between the average elevation of the ground along the **front lot line** and the elevation of the highest point of the **building**, or in the case of a **corner lot** the average elevation of the ground along all **lot lines** that abut a **street** and the elevation of the highest point of the **building**.

(2) Determining the Height of Structures in Commercial Zones

In the Commercial Zone category, the height of a **structure**, that is not a **building**, is the distance between **average grade** and the elevation of the highest point of that **structure**.

(3) Height of Specific Structures on a Building

In the Commercial Zone category, the following **structures** on the roof of a **building**, may exceed the permitted maximum height for that **building** by 5.0 metres:

- (A) antennae;
- (B) flagpoles; and
- (C) satellite dishes.

(4) Height of Elements for Functional Operation of a Building

In the Commercial Zone category, the following equipment and **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres:

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **building** that are used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover the equipment and **structures** listed in regulations (A) and (B) above.

(5) Height - Horizontal Limits on Elements for Functional Operation of a Building

In the Commercial Zone category, equipment, **structures** or parts of a **building** that exceed the permitted maximum height for that **building** in regulation 30.5.40.10(4), must comply with the following:

- (A) the total area of equipment, **structures**, and parts of a **building** may cover is no more than 30% of the area of the roof, measured horizontally; and [ By-law: 451-2022 ]
- (B) the total horizontal dimension of all equipment, **structures**, and parts of a **building** located within 6.0 metres of a **lot line** abutting a **street**, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(6) Height of Rooftop Amenity Space Safety and Wind Protection

In the Commercial Zone category, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

(7) Height of Buildings and Structures - Green Roof

In the Commercial Zone category, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

### 30.5.40.40 Floor Area

(1) Gross Floor Area Calculations for a Non-residential Building in a Commercial Zone Category

In the Commercial Zone category the **gross floor area** of a **non-residential building** is reduced by the area in the **building** used for:

- (A) required parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) elevator shafts;
- (F) mechanical penthouse; and
- (G) exit stairwells in the **building**.

(2) Floor Space Index Calculation for a Non-residential Building in a Commercial Zone Category

In the Commercial Zone category the floor space index for a **non-residential building** is the result of the **gross floor area** minus the areas listed in regulation 30.5.40.40(1) divided by the area of the **lot**.

#### 30.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the Commercial Zone category, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index greater than the permitted maximum floor space index, the **lawful** floor space index resulting from those **lawfully existing buildings** is the maximum floor space index for those **lawfully existing buildings** on that **lot**.

#### 30.5.40.60 Permitted Encroachments

(1) Canopies and Awnings

In the Commercial Zone category, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** that abuts a **street**, if no part of the canopy, awning or similar **structure** is more than 5.0 metres above the elevation of the ground directly below it.

#### 30.5.40.70 Setbacks

(1) Building or Structure to be Set Back from a Lane

A **building** or **structure** in the Commercial Zone category may be:

- (A) no closer than 3.0 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is not in the Residential Zone category or Open Space Zone category; and
- (B) no closer than 3.5 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is in the Residential Zone category or Open Space Zone category.

#### 30.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Building from a Lane

In the Commercial Zone category, if the **lawful** distance of a **lawfully existing building** or **structure** from the original centreline of a **lane** is less than the minimum distance from the original centreline of the **lane** required by this By-law, that **lawful** distance is the minimum distance from the original centreline of the **lane** for that **lawfully existing building** or **structure**.

(2) Additions Above Lawfully Existing Buildings in Relation to a Lane

The minimum distance from the original centreline of a **lane** for any addition or extension above a **lawfully existing building** or **structure** referred to in regulation 30.5.40.71(1) is the minimum distance from the original centreline of the **lane** permitted by regulation 30.5.40.71(1).

#### 30.5.75 Energy Regulations

##### 30.5.75.1 General

(1) Renewable Energy and Cogeneration Energy Device - Location Restriction

In the Commercial Zone category, a device producing **renewable energy** or **cogeneration energy** on a **lot** may not be located in a **front yard** or a **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height Requirements

In the Commercial Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

- (A) on a **building**:
  - (i) must comply with the required minimum **building setback**; and
  - (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the **building**; and
- (B) ground mounted, must comply with the requirements for a **building** or **structure** on the **lot**.

(3) Wind Energy Device - Setbacks

In the Commercial Zone category, a **wind energy** device must comply with the required minimum **building setbacks** for a **building** on the **lot**.

(4) Wind Energy Device - Height

In the Commercial Zone category, no part of a **wind energy** device may be higher than 3.0 metres above the permitted maximum height for a **building** on the **lot**.

(5) Geo-Energy Requirements

In the Commercial Zone category, any above-ground part of a **geo-energy** device must comply with the requirements for a **building** or **structure** on the **lot**.

(6) Cogeneration Energy Device

In the Commercial Zone category, a **cogeneration energy** device must be located inside a permitted **building**.

### 30.5.80 Parking

#### 30.5.80.1 General

(1) Use of Required Parking Space

A **parking space** required by this By-law for a use in the Commercial Zone category must be available for the use for which it is required.

#### 30.5.80.10 Location

(1) Location of Required Parking Spaces

A **parking space** must be located on the same **lot** as the use for which the **parking space** is required.

## 30.20 Commercial Local Zone (CL)

### 30.20.1 General

#### 30.20.1.10 Interpretation

(1) Application of This Section

The regulations in Section 30.20 apply to all lands, uses, **buildings** and **structures** in the CL zone.

(2) Medical Office

In the CL Zone, a medical office includes a medical clinic.

### 30.20.20 Permitted Uses

#### 30.20.20.10 Permitted Use

(1) Use - CL Zone

In the CL zone, the following uses are permitted:

Ambulance Depot  
**Community Centre**  
**Education Use**  
**Financial Institution**  
Fire Hall  
Library  
**Massage Therapy**  
Medical Office  
**Municipal Shelter**  
Office  
**Park**  
**Personal Service Shop**  
**Pet Services**  
Police Station  
**Retail Service**  
**Service Shop**  
**Veterinary Hospital**  
**Wellness Centre** [ By-law: 545-2019 ]

#### 30.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - CL Zone

In the CL zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 30.20.20.100:

**Automated Banking Machine** (14)  
**Cogeneration Energy** (17)  
**Day Nursery** (7)  
**Eating Establishment** (2, 10)  
Outdoor Sales or Display (6)  
**Place of Worship** (8)  
**Public Utility** (15,18)  
**Recreation Use** (1)  
**Renewable Energy** (17)  
**Retail Store** (5)  
**Secondary Suite** (19)  
**Take-out Eating Establishment** (2)



**Transportation Use (16)**  
**Vehicle Fuel Station (3,12)**  
**Vehicle Service Shop (3,13) [ By-law: 545-2019 ]**

### 30.20.20.100 Conditions

(1) Recreation Use

In the CL zone, all **recreation uses** must be within a wholly enclosed **building**.

(2) Eating Establishment or Take-out Eating Establishment

In the CL zone:

- (A) the permitted maximum **interior floor area** on a **lot** for all **eating establishments** and **take-out eating establishments** is 400 square metres; and
- (B) the calculation of total **interior floor area** may be reduced by the area in the **building** used for:
  - (i) the same **building** areas as provided for in the calculation of **gross floor area** for a **non-residential building** in regulation 30.5.40.40(1); and
  - (ii) the areas used for associated offices, storage rooms, and staff rooms located in the **basement** or on a different **storey** than the **eating establishment** or **take-out eating establishment**.

(3) Vehicle Fuel Station or Vehicle Service Shop Location

In the CL zone, a **vehicle fuel station** and **vehicle service shop** must be on a **lot** that abuts a major **street** on the Policy Areas Overlay Map.

(4) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(5) Retail Store- Eating Space

In the CL zone, a **retail store** may have a maximum of 10.0 square metres used for the consumption of food or beverage by patrons.

(6) Outdoor Sales or Displays

In the CL zone, the outdoor sale or display of goods or commodities is subject to the following:

- (A) it must be combined with another permitted use;
- (B) goods or commodities may be displayed no closer to a **side lot line** or a **rear lot line** than the greater of:
  - (i) 3.0 metres; or
  - (ii) the required minimum **building setback** for the yard in which the goods or commodities are located;
- (C) the cumulative area for the outdoor sale or display of goods or commodities may be no more than 30.0 square metres; and
- (D) the area for the outdoor sale or display of goods or commodities may not be located in areas required by this By-law for parking, loading, **driveways** or **landscaping**.

(7) Day Nursery

In the CL zone, a **day nursery** must comply with the specific use regulations in Section 150.45.

(8) Place of Worship

In the CL zone, a **place of worship** must comply with the specific use regulations in Section 150.50.

(10) Eating Establishment

In the CL zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

(11) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(12) Vehicle Fuel Station

In the CL zone, a **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(13) Vehicle Service Shop

In the CL zone, a **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(14) Automated Banking Machine

In the CL zone, an **automated banking machine** must be in a **building**.

(15) Public Utility

In the CL zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(16) Transportation Use

A **building** or **structure** on a **lot** in the CL zone and used as a **transportation use** must comply with all the requirements for a **building** on that **lot**.

(17) Renewable Energy Production or Cogeneration Energy Production

In the CL zone, **renewable energy** production or **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.

(18) Public Utility

In the CL zone, a **public utility**, must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the CL zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(19) Secondary Suite

In the CL zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

### 30.20.30 Lot Requirements

#### 30.20.30.1 General

(1) Commercial Development Parcel- Compliance in its Entirety

In the CL zone, if two or more **lots** are developed together, the regulations of this By-law apply respectively to the parts of the **lot** within the CL zone.

#### 30.20.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in a CL zone

In the CL zone, the required minimum **lot frontage** is 9.0 metres.

#### 30.20.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the CL zone, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage** in this By-law, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 30.20.30.21(1) must comply with all other regulations or be authorized by a Section 45 Planning Act minor variance.

#### 30.20.30.40 Lot Coverage

(1) Maximum Lot Coverage

If a **lot** in the CL zone is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**.

#### 30.20.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings

In the CL zone, if the area of a **lot lawfully** covered by **lawfully existing buildings** or **structures** is greater than the permitted maximum **lot coverage**, the **lawful** percentage of the **lot** covered by those **lawfully existing buildings** or **structures** is the maximum **lot coverage** for those **lawfully existing buildings** or **structures** on that **lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to **lawfully existing buildings** or **structures** referred to in regulation 30.20.30.41(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 30.20.40 Principal Building Requirements

#### 30.20.40.1 General

(1) Use in Wholly Enclosed Building Condition

In the CL zone, all uses must be located within a wholly enclosed **building**, except for outdoor sales and display, **park**, **parking spaces**, and **loading spaces**.

#### 30.20.40.10 Height

(1) Maximum Height

In the CL zone, the permitted maximum height of a **building** or **structure** on a **lot** is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 10.0 metres, where there is no numerical value following the letters "HT" on the Height Overlay Map.

(2) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the CL zone is:

- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
- (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation. [ By-law: 1353-2015 ]

#### 30.20.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the CL zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings - Height

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 30.20.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

#### 30.20.40.40 Floor Area

(1) Floor Space Index

In the CL zone, the number following the zone symbol on the zone label on the Zoning By-law Map is the total permitted maximum floor space index on the **lot**.

#### 30.20.40.60 Permitted Encroachments

(1) Permitted Encroachments - Decks, Porches, and Balconies

In the CL zone, a platform with no **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a **building**, is subject to the following:

- (A) in a **rear yard**, a platform with a floor no higher than the first **storey** of the **building** may encroach into the required **rear yard setback** the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the greater of:
  - (i) 0.3 metres; or
  - (ii) a distance equal to the vertical distance between the highest part of the floor of the platform and the average elevation of the ground at the applicable side of the platform;
- (B) in a **rear yard**, a platform with a floor that is higher than the first **storey** of the **building** may encroach into the required minimum **rear yard setback** the lesser of 2.5 metres or 50% of the required minimum **rear yard setback**, if it is no closer to a **side lot line** than a distance equal to:
  - (i) the required minimum **side yard setback**; plus
  - (ii) the vertical distance between the **first floor** of the **building** and the average elevation of the ground along the building's rear **main wall**; and
- (C) in a **side yard**, a platform with a floor no higher than the first **storey** of the **building** may encroach into the required minimum **side yard setback** a maximum of 1.5 metres, if it is at least 0.3 metres from the **side lot line**; and
- (D) in a **side yard**, a platform with a floor that is higher than the first **storey** of the **building** may encroach into the required minimum **side yard setback** a maximum of 1.5 metres if the **side yard** abuts a **street**, but may not encroach into a required minimum **side yard setback** if the **side yard** does not abut a **street**.

(2) Permitted Encroachments - Canopies and Awnings

In the CL zone, a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform which complies with the requirements of regulation 30.20.40.60(1), is subject to the following:

- (A) if it is above a platform which complies with the requirements of regulation 30.20.40.60(1), the roof, canopy, awning or similar **structure** may encroach into the required minimum **building setback** to the same extent as the platform it is above; and
- (B) if it is not above a platform, the canopy, awning or similar **structure** may encroach into a required minimum **building setback**:
  - (i) in a **front yard** or a **rear yard**, the lesser of 2.5 metres or 50% of the required minimum **front yard setback**, if it is no closer to a **side lot line** than the required **side yard setback**;
  - (ii) in a **side yard** that does not abut a **street**, a maximum of 1.5 metres, if it is at least 0.3 metres from the **side lot lines**; and
  - (iii) in a **front yard** or **side yard** that abuts a **street**, subject to compliance with regulation 30.5.40.60(1).

(3) Permitted Encroachments - Exterior Stairs, Access Ramp and Elevating Device

In the CL zone:

- (A) exterior stairs providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the stairs:
  - (i) are no longer than 1.5 horizontal units for each 1.0 vertical unit above-ground at the point where the stairs meet the **building** or **structure**;
  - (ii) are no wider than 2.0 metres; and
  - (iii) are at least 0.3 metres from all **lot lines**; and
- (B) an uncovered ramp providing pedestrian access to a **building** or **structure** may encroach into a required minimum **building setback**, if the ramp:
  - (i) is no longer than 15 horizontal units for each 1.0 vertical unit above the ground at the point where the ramp meets the **building** or **structure**;
  - (ii) is no wider than 1.5 metres for each sloped ramp segment; and
  - (iii) is no closer to a **lot line** than 0.3 metres; and
- (C) an elevating device providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if that the elevating device:
  - (i) elevates no higher than the **first floor** of the **building**;
  - (ii) has a maximum area of 3.0 square metres; and
  - (iii) is no closer to a **lot line** than 0.3 metres.

(4) Permitted Encroachments - Exterior Main Wall Surface

In the CL zone, cladding added to the original exterior surface of the **main wall** of a **building**, may encroach into a required minimum **building setback** a maximum of 0.15 metres, if the **building** is at least 5 years old.

(5) Permitted Encroachments - Architectural Features

In the CL zone, the following applies:

- (A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on a **building** may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it is at least 0.3 metres from all **lot lines**;
- (B) a chimney breast, on a **building**, may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it:
  - (i) is no wider than 2.0 metres; and
  - (ii) is at least 0.3 metres from all **lot lines**.

(6) Permitted Encroachments - Window Projections

In the CL zone, a bay window, box window, or other window projection from a **main wall** of a **building**, which increases floor area or enclosed space and does not touch the ground, may encroach:

- (A) into a required minimum **front yard setback** or required minimum **rear yard setback** a maximum of 0.75 metres, if the window projections in total do not occupy more than 65% of the width of the **front wall** or rear **main wall** at each **storey**; and
- (B) into a required minimum **side yard setback** a maximum of 0.6 metres, if the window projections:
  - (i) in total do not occupy more than 30% of the width of the side **main wall** at each **storey**; and
  - (ii) are at least 0.6 metres from the **side lot line**.

(7) Permitted Encroachments - Roof Projections

In the CL zone, the eaves of the roof on a **building** may encroach into a required minimum **building setback** a maximum of 0.9 metres, if they are at least 0.3 metres from all **lot lines**.

(8) Permitted Encroachments - Equipment

On a **building** in the CL zone, the following wall mounted equipment may encroach into specified required minimum **building setbacks** as follows, if they are at least 0.3 metres from all **lot lines**:

- (A) an air conditioner may encroach into a required minimum **rear yard setback** or required minimum **side yard setback** a maximum of 0.9 metres, if it is not above the first **storey** of the **building** and in a **side yard**;
- (B) a satellite dish may encroach into a required minimum **building setback** a maximum of 0.9 metres;
- (C) an antennae or pole used to hold an antennae may encroach into a required minimum **rear yard setback** or required minimum **side yard setback** a maximum of 0.9 metres; and
- (D) a vent or pipe may encroach into a required minimum **rear yard setback** or required minimum **side yard setback** a maximum of 0.6 metres.

(9) Permitted Encroachments - Required Angular Planes

In the CL zone, encroachments are not permitted into an **angular plane** required by this By-law.

### 30.20.40.70 Setbacks

(1) Front Yard Setback Averaging

In the CL zone:

- (A) if a lot is beside one **lot** in the CL zone, and that abutting **lot** has a **building** fronting on the same **street** and that **building** is in whole or in part, 15.0 metres or less from the subject **lot**, the required minimum **front yard setback** is the **front yard setback** of that **building** on the abutting **lot**;
- (B) if a lot is between two abutting **lots** in the CL zone, each with a **building** fronting on the same **street** and those **buildings** are both in whole or in part, 15.0 metres or less from the subject **lot**, the required minimum **front yard setback** is the average of the **front yard setbacks** of those **buildings** on the abutting **lots**; and
- (C) in all other cases the required minimum **front yard setback** is 10.5 metres.

(2) Rear Yard Setback and Side Yard Setback

In the CL zone:

(A) a **building** or **structure** must be set back:

- (i) at least 7.5 metres from a **rear lot line**; or
- (ii) where the **rear lot line** abuts a **lane**, at least 7.5 metres from the **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**;

(B) where the **main wall** of a **building** does not have windows or openings, the **main wall** must be set back a minimum of 3.0 metres from a **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; and

(C) where the **main wall** of a **building** has windows or openings, the **main wall** must be set back a minimum of 5.5 metres from a **side lot line** that is not adjacent to a **street** or **lane**.

(3) Rear Angular Plane

In the CL zone, if a **lot** abuts a **lot** in an O, ON or OR zone, or the Residential Zone category or Residential Apartment Zone category, every **building** on the **lot** in the CL zone must not penetrate a 45 degree **angular plane** measured, if there is no rear **lane**, from the ground at the **rear lot line**, or, if there is a rear **lane** abutting the site, from a height above the **rear lot line** equal to the width of the **lane**.

(3) Rear Angular Plane

In the CL zone, if a **lot** abuts a **lot** in an O, ON or OR zone, or the Residential Zone category or Residential Apartment Zone category, or if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category by a **lane**, no **building** or **structure** on the **lot** in the CL zone may penetrate a 45 degree **angular plane** projected, if there is no rear **lane**, from the ground at the **rear lot line**, or, if there is a rear **lane** abutting the **lot**, from a height above the **rear lot line** equal to the width of the **lane**. [ By-law: 607-2015 Under Appeal ]

(4) Dormers

In the CL zone, a dormer projecting from the surface of the roof, may not have any wall of the dormer closer to a **lot line** than the required minimum **building setback**.

### 30.20.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the CL zone, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setbacks** from:

- (A) **front lot line**, the **lawful building setback** is the minimum **front yard setback** for that **lawfully existing building** or **structure**;
- (B) **rear lot line**, the **lawful building setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; or
- (C) a **side lot line**, the **lawful building setback** is the minimum **side yard setback** for that **lawfully existing building** or **structure**.

(2) Required Setbacks for Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 30.20.40.71(1) must comply with the required minimum **building setbacks** or be authorized by a Section 45 Planning Act minor variance.

(3) Required Rear Angular Plane for Lawfully Existing Buildings

In the CL zone, if a **lawfully existing building** or **structure** penetrates the rear **angular plane** required by regulation 30.20.40.70(3), that **lawfully existing building** or **structure** is exempt from regulation 30.20.40.70(3).

(4) Required Rear Angular Plane for Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 30.20.40.71(3) must comply with the rear **angular plane** required by regulation 30.20.40.70(3) or be authorized by a Section 45 Planning Act minor variance.

### 30.20.40.80 Separation

(1) Separation

For a **lot** in the CL zone:

- (A) if a **main wall** of the **building** has windows and a line projected at a right angle from one of the **main walls** intercepts another **main wall** with windows on the same **lot**, the required minimum above-ground distance between the **main walls** is 11.0 metres; and
- (B) if a **main wall** of the **building** has windows facing another **main wall** on the same **lot** which does not have windows and a line projected at a right angle from one of the **main walls** intercepts the other **main wall**, the required minimum above-ground distance between them is 5.5 metres.

### 30.20.40.81 Separation Exemptions

#### (1) Permitted Separation Between Main Walls for Lawfully Existing Buildings

In the CL zone, if the **lawful** separation distance between the **main walls** of **lawfully existing buildings** on the same **lot**, or between **main walls** of the same **lawfully existing building**, is less than the required minimum separation distance between **main walls** required by regulation 30.20.40.80(1), that **lawful** separation distance is the minimum separation distance for those **lawful main walls** of those **lawfully existing buildings**.

#### (2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** referred to in regulation 30.20.40.81(1) must comply with the required minimum separation distance between **main walls** required by regulation 30.20.40.80(1) or be authorized by a Section 45 Planning Act minor variance.

### 30.20.50 Yards

#### 30.20.50.10 Landscaping

##### (1) Soft Landscaping Requirement if Abutting a Lot in a Residential Zone or a Residential Apartment Zone

If a **lot** in the CL zone abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, a minimum 1.5 metre wide strip of **soft landscaping** must be provided along the part of the **lot line** abutting the **lot** in the Residential Zone category or Residential Apartment Zone category.

##### (2) Fence Requirement if Abutting a Lot in a Residential Zone or a Residential Apartment Zone

In the CL zone, if a **lot** abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category a fence must be installed along the portion of a **lot line** abutting the **lot** in the Residential Zone category or Residential Apartment Zone category.

### 30.20.80 Parking

#### 30.20.80.20 Setbacks

##### (1) Parking Space and Drive Aisle Location

In the CL zone, a **parking space** and a **drive aisle** may not be located in any required **front yard setback** or **side yard setback** that abuts a **street**.

##### (2) Parking Area Separation From Lot Line

In the CL zone, an area used for the parking or storage of **vehicles** must be separated from any **lot line** by a minimum 1.5 metre wide strip of **soft landscaping**.

##### (3) Parking Space to be Set Back from a Lot Line

A **parking space** that is not located in a **building** or **structure** must be set back a minimum of 0.5 metres from a **lot line**.

### 30.20.90 Loading

#### 30.20.90.10 Location

##### (1) Loading Space Location

A **loading space** may not be located in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) any **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

### 30.20.90.11 Location Exemptions

(1) Loading Space Location Exemption

If a **lawfully existing building** does not comply with the **loading space** location requirements of regulation 30.20.90.10(1), that **lawful loading space** is exempt from the requirements of regulation 30.20.90.10(1).

### 30.20.90.40 Access to Loading Space

(1) Access to Loading Space - Restrictions

In the CL zone:

- (A) if a **lot** abuts a **lane**, **vehicle** access to a **loading space** must be from the **lane**; and
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** that is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to a **loading space** must be from the **street** which is not a major **street**.

(2) Loading Restrictions Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category

In the CL zone, where a **lot** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, **vehicle** access to the **loading space** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category.

(3) Access Through a Main Wall to a Loading Space

A **loading space** in a **building** may not have its **vehicle** access through a **main wall** that faces a **street**.

### 30.20.90.41 Access to Loading Space Exemptions

(1) Access Through a Main Wall to a Loading Space Exemption

If a **lawfully existing building** has a **lawful loading space vehicle** access in a **main wall** that does not comply with the **loading space** location requirements of regulation 30.20.90.40(3), that **lawful loading space** is exempt from the requirements of regulation 30.20.90.40(3).

### 30.20.100 Access to Lot

#### 30.20.100.10 Location

(1) Driveway Access to a Lot - Landscaping Area Exemption

In the CL zone, a **driveway** providing direct **vehicle** access from a **street** or **lane** may cross a required **landscaping** area.

(2) Parking Areas adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone Category

In the CL zone, where a **lot** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, **vehicle** access to a **parking space** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category.

### 30.20.150 Waste

#### 30.20.150.1 General



(1) Waste and Recyclable Materials Storage

In the CL zone:

- (A) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
- (B) if the waste and **recyclable material** is stored in an **ancillary building**, the **ancillary building**:
  - (i) may not be located in a **side yard** that abuts a **street** or in a **front yard**; and
  - (ii) must be located at least:
    - (a) 7.5 metres from a **lot** in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and
    - (b) 1.0 metres from all other **side lot lines** and **rear lot lines**.

## Chapter 40 Commercial Residential

### 40.5 Regulations Applying to the Commercial Residential Zone Category

#### 40.5.1 General

##### 40.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 40.5 apply to all lands, uses, **buildings** and **structures** in the Commercial Residential Zone category.

(2) Interpretation of the Commercial Residential Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Commercial Residential Zone category consists of the letters CR, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label

In the Commercial Residential Zone category, the letters following the zone symbol in the zone label have the following meaning:

(A) a numerical value representing the permitted maximum floor space index of all land uses on a **lot** and may be followed by one or both of the following in brackets:

(i) the letter "c" and a numerical value indicating the permitted maximum floor space index for non-residential uses on a **lot**; and

(ii) the letter "r" and a numerical value indicating the permitted maximum floor space index for residential uses on a **lot**; and

(B) the Development Standard Set symbol (SS) and number indicates the set of development standards in regulation 40.5.1.10(4), that applies to a **lot**.

(4) Interpretation of the Development Standard Set Symbol

The Development Standard Set symbol (SS) in the zone label on the Zoning By-law Map identifies the Development Standard Set with a numerical value that corresponds to a specific set of development standards that may control one or all of the following requirements:

(A) Required Minimum **Building Setback** from a **Front Lot Line**;

(B) Permitted Maximum **Building Setback** from a **Front Lot Line**;

(C) Required Minimum **Building Setback** from a **Rear Lot Line**;

(D) Required Minimum **Building Setback** from a **Side Lot Line**;

(E) Required **Building Angular Plane** from a **Front Lot Line** or **Side Lot Line** abutting a **street**;

(F) Required **Building Angular Plane** from a **Rear Lot Line**;

(G) Required Minimum **Landscaping Area** on a **Lot**; and

(H) Permitted Maximum **Building Height**.

##### 40.5.1.20 Restrictions

(1) Living Accommodation in Ancillary Buildings

In the Commercial Residential Zone category, an **ancillary building** may not be used for living accommodation.

(2) Use Restrictions on Commercial Residential Lots without Street Frontage

If a **lot** in the Commercial Residential Zone category does not front on a **street** and has its only **vehicle** access from a **lane** or private right-of-way that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, the **lot** may only be used for required **parking spaces**.

##### 40.5.40 Principal Building Requirements

#### 40.5.40.1 General

(1) Building Requirements

Additional **building** requirements are in each zone in the Commercial Residential Zone category.

#### 40.5.40.10 Height

(1) Determining the Height of Buildings in Commercial Residential Zones

In the Commercial Residential Zone category, the height of a **building** is the distance between the average elevation of the ground along the **front lot line**, or in the case of a **corner lot** the average elevation of the ground along all **lot lines** that abut a **street**, and the elevation of the highest point of the **building**.

(2) Determining the Height of Structures in Commercial Residential Zones

In the Commercial Residential Zone category, the height of a **structure** that is not a **building**, is the distance between **average grade** and the elevation of the highest point of the **structure**.

(3) Height of Specific Structures on a Building

In the Commercial Residential Zone category, the following **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres:

- (A) antennae;
- (B) flagpoles; and
- (C) satellite dishes.

(4) Height of Elements for Functional Operation of a Building

In the Commercial Residential Zone category, equipment and **structures** located on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres, subject to regulation 40.5.40.10(5):

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (A) and (B) above.

(5) Limits on Elements for Functional Operation of a Building

In the Commercial Residential Zone category, equipment, **structures** or parts of a **building** exceeding the permitted maximum height for a **building**, as permitted by regulation 40.5.40.10(4), must comply with the following:

- (A) the total area of all equipment, **structures**, or parts of a **building** may cover is no more than 30% of the area of the roof, measured horizontally; and [ By-law: 451-2022 ]
- (B) if any equipment, **structures**, or parts of a **building** are located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(6) Height of Rooftop Amenity Space Safety and Wind Protection Elements

In the Commercial Residential Zone category, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

(7) Height of Buildings and Structures - Green Roof

In the Commercial Residential Zone category, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

(8) Limits on Elements for Functional Operation of a Building for Towers

In the Commercial Residential Zone category:

- (A) Despite regulations 40.5.40.10 (4) and (5), equipment, **structures** or parts of a **building** listed in regulation 40.5.40.10 (4) located on the roof of the tower portion of a **building** may exceed the permitted maximum height

- for that **building** by 6.5 metres, if the total area of all equipment, **structures**, or parts on the roof of the tower portion of the **building** cover no more than 450 square metres, measured horizontally;
- (B) chimneys, pipes, and vents, may further exceed the permitted maximum height in (A) by 3.0 metres; and
- (C) For the purpose of regulation 40.5.40.10(8), a "tower" is the portions of a **building** which collectively enclose the entirety of a **storey** higher than 24.0 metres above the **average grade**, and where the maximum average **gross floor area** of any **storey** located above 24.0 metres does not exceed 750 square metres. [ By-law: LPAT PL130592 March 6, 2020 ]

#### 40.5.40.40 Floor Area

(1) Gross Floor Area Calculations for a Non-residential Building in the Commercial Residential Zone Category

In the Commercial Residential Zone category the **gross floor area** of a **non-residential building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) elevator shafts;
- (F) mechanical penthouse; and
- (G) exit stairwells in the **building**.

(2) Floor Space Index Calculation for a Non-residential Building in the Commercial Residential Zone Category

In the Commercial Residential Zone category the floor space index for a **non-residential building** is the result of the **gross floor area** minus the areas listed in regulation 40.5.40.40(1) divided by the area of the **lot**.

(3) Gross Floor Area Calculations for a Mixed Use Building in the Commercial Residential Zone Category

In the Commercial Residential Zone category the **gross floor area** of a **mixed use building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) **amenity space** required by this By-law;
- (F) elevator shafts;
- (G) garbage shafts;
- (H) mechanical penthouse; and
- (I) exit stairwells in the **building**.

(4) Floor Space Index Calculation for a Mixed Use Building in the Commercial Residential Zone Category

In the Commercial Residential Zone category the floor space index for a **mixed use building** is the result of the **gross floor area** minus the areas listed in regulation 40.5.40.40(3) divided by the area of the **lot**.

(5) Gross Floor Area Calculations for an Apartment Building in the Commercial Residential Zone Category

In the Commercial Residential Zone category the **gross floor area** of an **apartment building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) **amenity space** required by this By-law;

- (F) elevator shafts;
- (G) garbage shafts;
- (H) mechanical penthouse; and
- (I) exit stairwells in the **building**.

(6) Floor Space Index Calculation for an Apartment Building in the Commercial Residential Zone Category

In the Commercial Residential Zone category the floor space index for an **apartment building** is the result of the **gross floor area** minus the areas listed in regulation 40.5.40.40(5) divided by the area of the **lot**.

(7) Gross Floor Area Calculations Regarding Attic Space in a Townhouse in the Commercial Residential Zone Category

In the Commercial Residential Zone category, the **gross floor area** of a **townhouse** includes floor area in an attic above the **main walls** of the **building**, if it:

- (A) is accessed by means of a permanent stair case or mechanical elevating device; or
- (B) has a vertical clearance of more than 1.4 metres between the ceiling joists below and the roof rafters, and at least 80% of the area has a vertical clearance of more than 2.0 metres and an area of at least 10.0 square metres.

(8) Exclusion of Certain Floor Area in an Attic Space in a Townhouse in the Commercial Residential Zone Category

If the floor area meets the conditions in regulation 40.5.40.40(7), and the area or a portion of the area is used for housing or maintaining mechanical equipment for the **townhouse** and does not exceed 20.0 square metres, the floor area or portion thereof is not included in the **gross floor area** of the **townhouse**.

(9) Gross Floor Area Calculations for a Townhouse in the Commercial Residential Zone Category

In the Commercial Residential Zone category, the **gross floor area** of a **townhouse** may be reduced by:

- (A) the floor area of the **basement**, unless the **established grade** is higher than the average elevation of the ground along the rear **main wall** of the **residential building** by 2.5 metres or more, in which case the **gross floor area** of the **building** may be reduced by 50% of the floor area of the **basement**;
- (B) the area of a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum **gross floor area** for the **building**; and
- (C) the area for a maximum of one **parking space** per **dwelling unit** in the **building**. [ By-law: 89-2022 ]

(10) Floor Space Index Calculation for a Townhouse Building in the Commercial Residential Zone Category

In the Commercial Residential Zone category, the floor space index for a **townhouse building** is the result of the **gross floor area**, plus the area of an attic described in regulation 40.5.40.40(7) and subject to regulation 40.5.40.40(8) minus the areas listed in regulation 40.5.40.40(9), divided by the area of the **lot**.

#### 40.5.40.60 Permitted Encroachments

(1) Canopies and Awnings

In the Commercial Residential Zone category, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** that abuts a **street**, if no part of the canopy, awning or similar **structure** is located more than 5.0 metres above the elevation of the ground directly below it.

#### 40.5.40.70 Setbacks

(1) Building or Structure to be Set Back from a Lane

A **building** or **structure** in the Commercial Residential Zone category may be:

- (A) no closer than 3.0 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is not in the Residential Zone category or Open Space Zone category; and
- (B) no closer than 3.5 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is in the Residential Zone category or Open Space Zone category.

#### 40.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Building from a Lane

In the Commercial Residential Zone category, if the **lawful** distance of a **lawfully existing building** or **structure** from the original centreline of a **lane** is less than the minimum distance from the original centreline of the **lane** required by this By-law, that **lawful** distance is the minimum distance from the original centreline of the **lane** for that **lawfully existing building** or **structure**.

(2) Additions Above Lawfully Existing Buildings in Relation to a Lane

The required minimum distance from the original centreline of a **lane** for any addition or extension above a **lawfully existing building** or **structure** referred to in regulation 40.5.40.71(1) is the minimum distance from the original centreline of the **lane** permitted by regulation 40.5.40.71(1).

## 40.5.75 Energy Regulations

### 40.5.75.1 General

(1) Renewable Energy and Cogeneration Energy Device - Location Restriction

In the Commercial Residential Zone category, a device producing **renewable energy** or **cogeneration energy** on a **lot** may not be located in a **front yard** or a **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height Requirements

In the Commercial Residential Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

(A) on a **building**:

- (i) must comply with the required minimum **building setbacks** for a **building** on the **lot**; and
- (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the **building**; and

(B) ground mounted, must comply with the requirements for a **building** or **structure** on the **lot**.

(3) Wind Energy Device - Setbacks

In the Commercial Residential Zone category, a **wind energy** device must comply with the required minimum **building setbacks** for a **building** on the **lot**.

(4) Wind Energy Device - Height

In the Commercial Residential Zone category, no part of a **wind energy** device may exceed the permitted maximum height for a **building** as follows:

- (A) on a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, by 3.0 metres;
- (B) the permitted maximum height of a **building** is less than 25.0 metres, by 3.0 metres; and
- (C) in all other cases, by 5.0 metres.

(5) Geo-energy Requirements

In the Commercial Residential Zone category, any above-ground part of a **geo-energy** device must comply with the requirements for a **building** or **structure** on the **lot**.

(6) Cogeneration Device

In the Commercial Residential Zone category, a **cogeneration energy** device must be located inside a permitted **building**.

## 40.5.80 Parking

### 40.5.80.1 General

(1) Use of Required Parking Space

A **parking space** required by this By-law for a use in the Commercial Residential Zone category must be available for the use for which it is required.

#### 40.5.80.10 Location

(1) Location of Required Parking Spaces

A **parking space** must be on the same **lot** as the use for which the **parking space** is required.

## 40.10 Commercial Residential Zone (CR)

### 40.10.1 General

#### 40.10.1.10 Interpretation

(1) Application of This Section

The regulations in Section 40.10 apply to all lands, uses, **buildings** and **structures** in the CR zone.

(2) CR Zone Development Standard Sets

In the CR zone there are three Development Standard Sets: SS1, SS2 and SS3, which form part of the zone label.

(3) Medical Office

For the purposes of the CR Zone, a medical office includes a medical clinic.

### 40.10.20 Permitted Uses

#### 40.10.20.10 Permitted Use

(1) Use - CR Zone

- (A) In the CR zone, the following uses are permitted under the letter "c" in the zone label referred to in regulation 40.5.1.10(3)(A)(i):

Ambulance Depot  
**Art Gallery**  
**Artist Studio**  
**Automated Banking Machine**  
**Community Centre**  
Courts of Law  
**Education Use**  
**Financial Institution**  
Fire Hall  
Library  
**Massage Therapy**  
Medical Office  
**Museum**  
Office  
**Park**  
**Passenger Terminal**  
**Performing Arts Studio**  
**Personal Service Shop**  
**Pet Services**  
Police Station  
**Post-Secondary School**  
**Production Studio**  
**Religious Education Use**  
**Software Development and Processing**  
**Veterinary Hospital**  
**Wellness Centre** [ By-law: 1198-2019 ]

- (B) In the CR zone, the following uses are permitted under the letter "r" in the zone label referred to in regulation 40.5.1.10(3)(A)(ii):

**Dwelling Unit** in a permitted **building** type in Clause 40.10.20.40  
**Hospice Care Home**  
**Municipal Shelter**  
**Nursing Home**  
**Religious Residence**  
**Residential Care Home**



**Respite Care Facility**  
**Retirement Home**  
**Student Residence**  
[ By-law: 545-2019 ]

#### **40.10.20.20 Permitted Use - with Conditions**

(1) Use with Conditions - CR Zone

- (A) In the CR zone, the following uses are permitted under the letter "c" in the zone label referred to in regulation 40.5.1.10(3)(A)(i) if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100:

**Amusement Arcade** (23, 47)  
**Cabaret** (1)  
**Club** (1)  
**Cogeneration Energy** (56)  
**Custom Workshop** (16)  
**Day Nursery** (27)  
**Drive Through Facility** (37)  
**Eating Establishment** (1,33)  
**Entertainment Place of Assembly** (1, 46)  
**Funeral Home** (24)  
**Hotel** (4)  
**Laboratory** (15)  
**Nightclub** (2)  
**Outdoor Patio** (21)  
Outdoor Sales or Display (20)  
**Place of Assembly** (1, 29)  
**Place of Worship** (40)  
**Private School** (28)  
**Public Parking** (7,8,9,10,11)  
**Public School** (28)  
**Public Utility** (54,57)  
**Recreation Use** (1, 46)  
**Renewable Energy** (56)  
**Retail Service** (17)  
**Retail Store** (5)  
**Service Shop** (6)  
**Sports Place of Assembly** (46)  
**Take-out Eating Establishment** (1)  
**Transportation Use** (55)  
**Vehicle Dealership** (26)  
**Vehicle Fuel Station** (13,38)  
**Vehicle Service Shop** (13,39)  
**Vehicle Washing Establishment** (25) [By-law 1198-2019] [ By-law: 451-2022 ]

- (B) In the CR zone, the following uses are permitted under the letter "r" in the zone label referred to in regulation 40.5.1.10(3)(A)(ii) if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100:

**Crisis Care Shelter** (43)  
**Group Home** (30)  
**Home Occupation** (45)  
**Private Home Daycare** (44)  
Rooming House (48)  
**Secondary Suite** (58)  
**Seniors Community House** (42)  
**Short-term Rental** (3) [By-law 1453-2017]  
**Tourist Home** (22) [ By-law: 545-2019 ]

#### 40.10.20.40 Permitted Building Types

(1) Permitted Building Types for Dwelling Units

In the CR zone the following **building** types for **dwelling units** are permitted:

- (A) **Apartment Building** on a **lot** that has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(A)(ii) that is greater than 0.0;
- (B) **Mixed Use Building** on a **lot** that has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(A)(ii) that is greater than 0.0; and
- (C) **Townhouse**:
  - (i) on a **lot** that has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(A)(ii) that is greater than 0.0; and
  - (ii) on a **lot** that is not located in Policy Area 3 (PA3) or Policy Area 4 (PA4) on the Policy Overlay Map.

#### 40.10.20.41 Permitted Building Types Exemptions

(1) Lawfully Existing Dwelling Units in Non-permitted Building Types

A **dwelling unit** in a **lawfully existing detached house, semi-detached house, duplex, triplex, fourplex, or townhouse** in Policy Area 3 or Policy Area 4 on a **lot** in the CR zone is permitted on that **lot** and any addition to those **lawfully existing buildings** must comply with the requirements for the respective **building** type in the RM zone and the RT zone in the case of a **townhouse**, or be authorized by a Section 45 Planning Act minor variance. [ By-law: 1774-2019 ]

#### 40.10.20.100 Conditions

(1) Cabaret, Club, Eating Establishment, Entertainment Place of Assembly, Place of Assembly, Recreation Use and Take-out Eating Establishment

In the CR zone:

- (A) the total **interior floor area** of all **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments** on a **lot** within 6.1 metres of a **lot** in the Residential Zone category or Residential Apartment Zone category and on a **lot** which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) may not exceed 400 square metres;
- (B) the calculation of total **interior floor area** is reduced by:
  - (i) the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I); and [ By-law: 1774-2019 ]
  - (ii) in the case of an **eating establishment** or **take-out eating establishment**, the **interior floor areas** used for associated offices, storage rooms, and staff rooms located in the **basement** or on a different **storey** than the **eating establishment** or **take-out eating establishment**; and
- (C) the **interior floor area** size restriction in regulation (A) above does not apply to **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments**, on a **lot** that is more than 6.1 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category, nor on a **lot** in the CR zone and subject to Development Standard Set 3 (SS3).

(2) Nightclub

In the CR zone, a **nightclub** is subject to the following:

- (A) the zone label must have a "c" value of 4.0 or greater;
- (B) it must be only on the first **storey**;
- (C) it must be on a **lot** that does not abut a **lot** in the Residential Zone category or Residential Apartment Zone category; and
- (D) it must be the only **nightclub** in the **building**.

(3) Short-term Rental

A **short-term rental** in the CR zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 ]

(4) Hotel Location in a Building with Dwelling Units

In the CR zone, no **hotel** room or suite may be located in the same **storey** as a **dwelling unit**.

(5) Retail Store with Beverage Manufacturing Use for Beer, Cider or Wine

In the CR zone, a **retail store** may include a beverage **manufacturing use** for beer, cider or wine, if the **interior floor area** of the **retail store**, including the beverage **manufacturing use**, does not exceed 400.0 square metres. [ By-law: 1198-2019 ]

(6) Service Shop

In the CR zone, the permitted maximum **interior floor area** of all **service shops** on a **lot** which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total **interior floor area** is reduced by the area the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [ By-law: 1774-2019 ]

(7) Public Parking - Location

In the CR zone, **public parking**:

(A) may not be in an above-ground **parking garage** on a **lot** subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2); and

(B) is not subject to any location conditions on a **lot** subject to Development Standard Set 3 (SS3).

(8) Public Parking - Access

In the CR zone, the entrance or exit to land with **public parking** may only be through a zone that permits **public parking**.

(9) Public Parking if Abutting a Lot in the Residential Zone Category or the Residential Apartment Zone Category

In the CR zone, all **parking spaces** provided as **public parking** on a surface parking **lot** must be set back at least 1.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

(10) Public Parking Attendant Shelter

In the CR zone, one **building** for parking attendants is permitted on a **lot** with a **public parking** use, if it:

(A) has a maximum height of 4.0 metres, including all mechanical equipment;

(B) has a maximum **interior floor area** of 5.0 square metres; and

(C) is at least 6.0 metres from a **lot line** abutting a **street**.

(11) Public Parking Fence

In the CR zone, on a **lot** with **public parking** in a surface parking **lot**, a fence must be provided:

(A) along all **lot lines** that abut a **street**, except for the portions used for **vehicle** and pedestrian access; and

(B) along all **lot lines** that abut a **lot** in the Residential Zone category or Residential Apartment Zone category.

(12) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(13) Vehicle Fuel Station and Vehicle Service Shop Location

In the CR zone, a **vehicle fuel station** and a **vehicle service shop** must be on a **lot** that abuts a major **street** on the Policy Areas Overlay Map.

(14) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(15) Laboratory

In the CR zone, the **interior floor area** of a **laboratory** may not exceed an area equivalent to the **interior floor area** of the first **storey** of the **building** in which it is located. The calculation of total **interior floor area** is reduced by the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [ By-law: 1774-2019 ]

(16) Custom Workshop

In the CR zone, the permitted maximum **interior floor area** of all **custom workshops** on a **lot** which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total **interior floor area** is reduced by the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [ By-law: 1774-2019 ]

(17) Retail Service

In the CR zone, the permitted maximum **interior floor area** of all **retail services** on a **lot** which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total **interior floor area** is reduced by the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [ By-law: 1774-2019 ]

(18) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(19) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(20) Outdoor Sales or Display

In the CR zone, the outdoor sale or display of goods or commodities is subject to the following:

- (A) it must be combined with another permitted non-residential use;
- (B) no goods or commodities may be displayed within 15.0 metres of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (C) the cumulative area of the outdoor sale or display of goods or commodities may not be more than 25% of the **gross floor area** of the **premises** it is associated with, up to a maximum of 1500 square metres;
- (D) the area for the outdoor sale or display of goods or commodities may not be located in areas required by this By-law for parking, loading, **driveways** or **landscaping**; and
- (E) there may be no storage or warehousing of goods in a **vehicle**. [ By-law: PL130592 Nov21\_2018 ]

(21) Outdoor Patio

In the CR zone:

- (A) an **outdoor patio** must be combined with one of the following uses and comply with the requirements in regulations (B) through (G) below:
  - Amusement Arcade;**
  - Cabaret;**
  - Club;**
  - Eating Establishment;**
  - Entertainment Place of Assembly;**
  - Nightclub;**
  - Place of Assembly;**
  - Recreation Use;**
  - Sports Place of Assembly;**
  - Take-out Eating Establishment.;** and
- (B) the permitted maximum area of an **outdoor patio** is the greater of:
  - (i) 30.0 square metres; or
  - (ii) 30% of the **interior floor area** of the **premises** it is associated with;
- (C) an **outdoor patio** may not be used to provide entertainment such as performances, music and dancing; and [ By-law: 1676-2013 ]
- (D) an **outdoor patio** must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category. [ By-law: 1676-2013 ]
- (E) despite regulation (D) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres:
  - (I) measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category. [ By-law: 1676-2013 ]
- (F) an **outdoor patio** in the **rear yard** of a **lot** which abuts a **lot** in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**; and
- (G) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (D) or (E) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**.

(22) Tourist Home

In the CR zone, a **tourist home**:

- (A) must be in:

- (i) a **townhouse**; or
- (ii) in a **lawfully existing detached house** or **semi-detached house**; and

(B) may not have **vehicle** access by a mutual **driveway**.

(23) Amusement Arcade - Size

In the CR zone, an **amusement arcade**:

(A) may be in a **building** that:

- (i) has a minimum **gross floor area** of 20,000 square metres; and
- (ii) has no residential uses listed in Clause 40.10.20.10 or 40.10.20.20;

(B) must have no more than 36 **amusement devices**;

(C) must have a minimum **interior floor area** of 6.0 square metres for each **amusement device**; and

(D) may only be accessible from the interior of the **building**.

(24) Funeral Home

In the CR zone, a **funeral home** must comply with the specific use regulations in Section 150.120.

(25) Vehicle Washing Establishment

In the CR zone, a **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.

(26) Vehicle Dealership

In the CR zone, a **vehicle dealership** must comply with the specific use regulations in Section 150.90.

(27) Day Nursery

In the CR zone, a **day nursery** must comply with the specific use regulations in Section 150.45.

(28) Public School, Private School

In the CR zone, a **public school** and a **private school** must comply with the specific use regulations in Section 150.48.

(29) Place of Assembly - Banquet Hall

In the CR zone, a **place of assembly** that is a banquet hall with an **interior floor area** greater than 1,000 square metres must be at least 300.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the banquet hall is combined with a **hotel**.

(30) Group Home

In the CR zone, a **group home** must comply with the specific use regulations in Section 150.15.

(32) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(33) Eating Establishment

In the CR zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

(34) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(35) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(36) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(37) Drive Through Facility

In the CR zone, a **drive through facility** must comply with the specific use regulations in Section 150.80.

(38) Vehicle Fuel Station

In the CR zone, a **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(39) Vehicle Service Shop

In the CR zone, a **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(40) Place of Worship

In the CR zone, a **place of worship** must comply with the specific use regulations in Section 150.50.

(41) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(42) Seniors Community House

In the CR zone, a **seniors community house** must comply with the specific use regulations in Section 150.30.

(43) Crisis Care Shelter

In the CR zone, a **crisis care shelter** must comply with the specific use regulations in Section 150.20.

(44) Private Home Daycare

In the CR zone, a **private home daycare**:

(A) may be located in:

(i) a **townhouse**; or

(ii) a **lawfully existing detached house** or **semi-detached house**; and

(B) a children's play area for the **private home daycare**:

(i) must be fenced; and

(ii) may not be located in the **front yard** or a **side yard** abutting a **street**.

(45) Home Occupation

In the CR zone, a **home occupation** must comply with the specific use regulations in Section 150.5.

(46) Entertainment Place of Assembly, Sports Place of Assembly, or Recreation Use- Amusement Device

In the CR zone, an **entertainment place of assembly**, a **sports place of assembly** or a **recreation use** may not have more than 12 **amusement devices** and these devices may not be located in a hallway, lobby or other pedestrian area if the **amusement devices** are in the same **building** as one of these uses.

(47) Amusement Arcade - Location

In the CR zone, an **amusement arcade** may not be located:

(A) in a **building** that has a **hotel** with less than 100 guest rooms; and

(B) on a **lot** if any part of the **lot** is less than:

(i) 150.0 metres from another **lot** with an **amusement arcade**; and

(ii) 300.0 metres from a **lot** with a **public school** or **private school**.

(48) Rooming House

In the CR zone, a rooming house must comply with the specific use regulations in Section 150.25.

(49) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(50) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(51) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(52) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(53) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(54) Public Utility

In the CR zone, a **public utility** may not be:

(A) a sewage treatment plant; or

(B) a water filtration plant.

(55) Transportation Use

A **building** or **structure** on a **lot** in the CR zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(56) Renewable Energy Production or Cogeneration Energy Production

In the CR zone **renewable energy** production or **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.

(57) Public Utility

In the CR zone, a **public utility**, must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the CR zone if it is:

(A) a hydro electrical transformer station: or [ By-law: OMB PL130592 February 7, 2017 ]

(B) a natural gas regulator station.

(58) Secondary Suite

In the CR zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

#### 40.10.30 Lot Requirements

##### 40.10.30.1 General

(1) Commercial Development Parcel - Compliance in its Entirety

In the CR zone, if two or more **lots** are developed together, the requirements in this By-law apply collectively to the parts of the **lots** within the CR zone.

##### 40.10.30.2 Lot Frontage

(1) Minimum Lot Frontage for Lots in a CR zone

In the CR zone, the required minimum **lot frontage** is 9.0 metres.

##### 40.10.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the CR zone, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage**, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 40.10.30.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

##### 40.10.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the CR zone:

(A) if a **lot** is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; and

(B) if a **lot** is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

##### 40.10.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings

In the CR zone, if the area of a **lot** **lawfully** covered by **lawfully existing buildings** or **structures** is greater than the permitted maximum **lot coverage**, the **lawful** portion of the **lot** covered by those **lawfully existing buildings** or **structures** is the maximum **lot coverage** for those **lawfully existing buildings** or **structures**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to **lawfully existing buildings** or **structures** referred to in regulation 40.10.30.41(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

#### 40.10.40 Principal Building Requirements

##### 40.10.40.1 General

(1) Location of Commercial Uses in a Mixed Use Building Condition

If a **lot** in the CR zone has a **mixed use building**, all residential use portions of the **building** must be located above non-residential use portions.

(1) Location of Commercial Uses in a Mixed Use Building Condition

If a **lot** in the CR zone has a **mixed use building**, all residential use portions of the **building** must be located above non-residential use portions of a **building**, other than:

- (A) residential lobby access; and
- (B) on a **corner lot**, **dwelling units** may be located in the first **storey** of a **building** if:
  - (i) the **dwelling units** have direct access to a **street** which is not a major **street** on the Policy Areas Overlay Map; and
  - (ii) the **dwelling units** are located to the rear of the non-residential uses on the first **storey**. [ By-law: 607-2015 Under Appeal ]

(2) Commercial Uses - Location of Entrances and First Floor Elevation

For any non-residential use in the CR zone, excluding a **place of worship**, the floor level of the first **storey** must:

- (A) be within 0.2 metres of the ground measured at the **lot line** abutting the **street** directly opposite each pedestrian entrance; and
- (B) have a pedestrian access, other than service entrances, which, if not level with the public sidewalk closest to the entrance, is accessed by a ramp which rises no more than 0.04 metres vertically for every 1.0 metre horizontally.
- (C) Regulations 40.10.40.1(2)(A) and (B) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the **building** is accessible to persons with disabilities. [103-2016] [ By-law: 1031-2014 ]

(3) Residential Use Orientation to Street

In the CR zone, a **building** with a **dwelling unit** may not be located so that another **building** is between any **main wall** of the **building** and the **street** on which the **building** fronts.

(4) Hotel - Orientation to Street

In the CR zone, no **building** may be used as a **hotel** if another **building** is located between it and the **street** on which the **hotel** fronts.

(5) Building Orientation to a Street - Hotels and Buildings With Dwelling Units

In the CR zone, a **building** or an addition which is not attached above-ground to the original part of a **building**, is not permitted if:

- (A) it has **dwelling units**, rooms or suites in a **hotel**, and is in the rear of another **building** or the original part of the same **building**; or
- (B) it is in front of a **building**, or the original part of the same **building**, has **dwelling units**, rooms or suites in a **hotel**, to produce the condition of a **building** having **dwelling units**, rooms or suites, in the rear of another **building**.

(6) Location of Entrances when Abutting Residential

In the CR zone, pedestrian access for a **lot** which abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, or is separated from a **lot** in the Residential Zone category or Residential Apartment Zone category by a **lane** or a **street**:

- (A) may not be within 12.0 metres of a **lot** in the Residential Zone category or Residential Apartment Zone category, other than:
  - (i) a service entrance;
  - (ii) an entrance to a residential use; or
  - (iii) an entrance or exit required by Federal or Provincial regulations; and
- (B) is not required to comply with the requirements of regulation (A) above if:
  - (i) the **lot** is located in the CR zone subject to Development Standard Set 1 (SS1) south of Bloor Street West or Bloor Street East; or
  - (ii) the **building** on the **lot** is a **place of worship**. [ By-law: 580-2017 ]



(1) Development Standard Set 1 - Maximum Height

In the CR zone subject to Development Standard Set 1 (SS1), the permitted maximum height of a **building** or **structure** on a **lot** is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 16.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map; and
- (C) regulations (A) and (B) do not apply to the area bounded by York Street, Adelaide Street West, Wellington Street West, and Yonge Street.

(2) Development Standard Set 2 - Maximum Height

In the CR zone subject to Development Standard Set 2 (SS2), the maximum height of a **building** or **structure** on a **lot** is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 14.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map.

(3) Development Standard Set 3 - Maximum Height

In the CR zone subject to Development Standard Set 3 (SS3), the permitted maximum height of a **building** or **structure** on a **lot** is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 11.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map.

(4) Required Minimum Height in Certain CR Zones

In the CR zone:

- (A) If a **lot** has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(ii) that is greater than 0.0 and the **lot** is located in whole or in part in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), or Policy Area 4 (PA4) on the Policy Areas Overlay Map, the required minimum height of a **building** or **structure** is 10.5 metres and it must have at least 3 **storeys**; and
- (B) The required minimum height and **storeys** requirement in regulation (A) does not apply to a **vehicle fuel station**.

(5) Minimum Height of First Storey

In the CR zone, the required minimum height of the first **storey**, is measured between the floor of the first **storey** and the ceiling of the first **storey**, is 4.5 metres.

(6) Place of Worship Height of First Storey Exemption

In the CR zone, a **place of worship** is exempt from regulation 40.10.40.10 (5).

(7) Maximum Number of Storeys

The permitted maximum number of **storeys** in a **building** on a **lot** in the CR zone is:

- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
- (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation. [ By-law: 1353-2015 ]

#### 40.10.40.11 Height Exemptions

(1) Permitted Maximum Height for Lawfully Existing Buildings

In the CR zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings - Maximum Height

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 40.10.40.11 (1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

(3) Required Minimum Height for Lawfully Existing Buildings

In the CR zone, if the **lawful** height of a **lawfully existing building** or **structure** is less than the minimum height required by this By-law, that **lawful** height is the minimum height for that **lawfully existing building** or **structure**.

(4) Additions to Lawfully Existing Buildings - Minimum Height

In the CR zone, the required minimum height for an addition or extension to a **lawfully existing building** or **structure** referred to in regulation 40.10.40.11(3) is the minimum height permitted in regulation 40.10.40.11(3).

(5) Required Minimum Height of First Storey for Lawfully Existing Buildings

In the CR zone, if the **lawful** height of the first **storey** of a **lawfully existing building** or **structure** is less than the required minimum first **storey** height, that **lawful** first **storey** height is the minimum first **storey** height for that **lawfully existing building** or **structure**.

(6) Additions to Lawfully Existing Buildings - Minimum First Storey Height for Additions

In the CR zone, the required minimum first **storey** height of an addition or extension to a **lawfully existing building** or **structure** referred to in regulation 40.10.40.11(5) is the minimum first **storey** height permitted in regulation 40.10.40.11(5).

(7) Transportation Use Exemption

A building used only for a **transportation use** that is part of a transit facility along Eglinton Avenue West or Eglinton Avenue East is not required to comply with regulations 40.10.40.10(4) and 40.10.40.10(5). [103-2016] [ By-law: 1031-2014 ]

#### 40.10.40.40 Floor Area

(1) Floor Space Index

In the CR zone, the letters and numbers in brackets following the zone symbol on the zone label on the Zoning By-law Map have the following application:

- (A) the numerical value following the zone symbol is the total permitted maximum floor space index for all uses on the **lot**;
- (B) the letter "c" refers to the floor space index and the numerical value is the permitted maximum floor space index for non-residential uses on the **lot**; and
- (C) the letter "r" refers to the floor space index and the numerical value is the permitted maximum floor space index for residential uses on the **lot**.

(2) Heritage Site - Designated Buildings Gross Floor Area Exclusion and Requirement

In the CR zone, a **building** designated as a **heritage site** pursuant to the Ontario Heritage Act R.S.O. 1990, c. O.18, as amended, may be used for a permitted use without complying with the permitted maximum **gross floor area** if:

- (A) the **gross floor area** of the **building** does not exceed the total amount that existed within the **building** at the time of designation as a **heritage site**;
- (B) the **building** is subject to an easement agreement pursuant to the Ontario Heritage Act, R.S.O 1990, as amended, or a predecessor or successor thereof; and
- (C) a permitted addition or extension increases the **gross floor area** of the **building**; and:
  - (i) the whole of the **building** does not exceed the permitted maximum **gross floor area**; and
  - (ii) the uses permitted in the addition or extension, combined with the original uses in the **building**, does not exceed the permitted maximum **gross floor area** for the **lot**.

(3) Pedestrian Walkways - Gross Floor Area Exclusion in SS1 Areas

In the CR zone subject to Development Standard Set 1 (SS1), the **gross floor area** of a **non-residential building** or **mixed use building** is reduced by the area in the **building** used for:

- (A) enclosed pedestrian walkways that:
  - (i) provide direct access to **streets**, **parks**, public **buildings**, outdoor **amenity space** accessible to the public, public **transportation uses**, or a similar walkway in an adjacent **building**;
  - (ii) are within 2.0 metres of the ground;
  - (iii) have a minimum width of 3.0 metres;
  - (iv) are not used for commercial purposes, such as **hotel** lobbies, retail areas, commercial display areas or other rentable space;
  - (v) are located a minimum distance of 10.0 metres from any **street** that is within 20 degrees of parallel from the pedestrian walkway; and
  - (vi) provide direct access between **streets** or similar walkways in adjacent **buildings**, and are located at least 60.0 metres from any part of any other pedestrian walkway; and

- (B) washrooms or sitting areas that have access to the enclosed pedestrian walkways described in regulation (A) above.

#### 40.10.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the CR zone, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index greater than the permitted maximum floor space index, the **lawful** floor space index resulting from those **lawfully existing buildings** is the maximum floor space index for those **lawfully existing buildings**, if the **lawful** floor space index for non-residential uses and the **lawful** floor space index for residential uses does not change.

(2) Transportation Use Along Eglinton Avenue West and Eglinton Avenue East

Regulation 40.10.40.40(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the **lot**. [103-2016] [ By-law: 1031-2014 ]

#### 40.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space for Buildings with 20 or More Dwelling Units

In the CR zone, a **building** with 20 or more **dwelling units** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- (A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**; [ By-law: 1353-2015 ]
- (B) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
- (C) no more than 25% of the outdoor component may be a **green roof**.

(2) Amenity Space for Buildings with Non-Residential Uses in SS1 Areas

In the CR zone subject to Development Standard Set (SS1), if a **building** with non-residential **gross floor area** is on a **lot** with one or more **lot lines** exceeding 12.0 metres in length and which abut a **street**, outdoor **amenity space** must be provided at a minimum rate of:

- (A) the lesser of 1.5% of the non-residential **interior floor area** in the **building**, or 4.5% of the area of the **lot**, if one **lot line** exceeds 12.0 metres in length and abuts a **street**;
- (B) the lesser of 3.0% of the non-residential **interior floor area** in the **building** or 9.0% of the area of the **lot**, if two **lot lines** exceed 12.0 metres in length and abut a **street**;
- (C) the lesser of 4.5% of the non-residential **interior floor area** in the **building**, or 13.5% of the area of the **lot**, if three **lot lines** exceed 12.0 metres in length and abut a **street**; or
- (D) the lesser of 6.0% of the non-residential **interior floor area** in the **building**, or 18.0% of the area of the **lot**, if four or more **lot lines** exceed 12.0 metres in length and abut a **street**.

#### 40.10.40.51 Decks, Platforms and Amenities Exemptions

(1) Required Amenity Space for Lawfully Existing Buildings with 20 or More Dwelling Units

In the CR zone, if a **lawfully existing building** with 20 or more **dwelling units** has not provided the **amenity space** required by this By-law, that **lawfully existing building** does not have to comply with regulation 40.10.40.50(1).

(2) Required Outdoor Amenity Space for Lawfully Existing Buildings with Non-residential Uses in SS1 Areas

In the CR zone subject to Development Standard Set (SS1), if a **lawfully existing building** with non-residential uses has not provided the outdoor **amenity space** required by this By-law, that **lawfully existing building** or **structure** does not have to comply with regulation 40.10.40.50.(2).

#### 40.10.40.60 Permitted Encroachments

(1) Permitted Encroachments - Decks, Porches and Balconies

In the CR zone a platform with no roof, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a **building**, is subject to the following:

- (A) a platform with a floor level no higher than the floor level of the first **storey** of the **building** may encroach into the required minimum **building setback** the lesser of 2.5 metres or 50% of the required minimum **building setback**, if it is no closer to a **lot line** than 0.3 metres and is not located between the **building** and a **lot line** that abuts a **street**;
- (B) in the CR zone subject to Development Standard Set 1 (SS1), or Development Standard Set 3 (SS3), a platform with a floor level higher than the floor level of the first **storey** of the **building** may encroach into the required minimum **building setback** a maximum of 1.5 metres; and
- (C) in the CR zone subject to Development Standard Set 2 (SS2), a platform attached to the front **main wall** with a floor level higher than the floor level of the first **storey** of the **building** must:
  - (i) be located above the first three **storeys** of the **building** above-ground;
  - (ii) be located entirely behind the front **main wall** of the three **storeys** of the **building** above-ground; and
  - (iii) not project more than 1.5 metres from the **main wall** to which it is attached.

(2) Permitted Encroachments - Canopies and Awnings

In the CR zone a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform which complies with regulation 40.10.40.60(1), may encroach into a required minimum **building setback** for the **building** as follows:

- (A) to the same extent as the platform it is covering; and
- (B) if it is not covering a platform, the canopy, awning or similar **structure**:
  - (i) in a **rear yard**, the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the required **side yard setback**;
  - (ii) in a **side yard** that does not abut a **street**, a maximum of 1.5 metres, if it is no closer than 0.3 metres from the **side lot lines**; and
  - (iii) in a **front yard** or **side yard** that abuts a **street**, in compliance with regulation 40.5.40.60(1).

(3) Permitted Encroachments - Exterior Stairs, Access Ramp and Elevating Device

In the CR zone:

- (A) exterior stairs providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the stairs are:
  - (i) no longer than 1.5 horizontal units for each 1.0 vertical unit above-ground at the point where the stairs meet the **building** or **structure**;
  - (ii) no wider than 2.0 metres; and
  - (iii) no closer to a **lot line** than 0.3 metres; and
- (B) an uncovered ramp providing pedestrian access to a **building** or **structure** may encroach into a required minimum **building setback**, if the ramp is:
  - (i) no longer than 15 horizontal units for each 1.0 vertical unit above-ground at the point where the ramp meets the **building** or **structure**;
  - (ii) no wider than 1.5 metres for each sloped ramp segment; and
  - (iii) no closer to a **lot line** than 0.3 metres; and
- (C) an elevating device providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the elevating device:
  - (i) elevates no higher than the first **storey** of the **building**;
  - (ii) has a maximum area of 3.0 square metres; and
  - (iii) is no closer to a **lot line** than 0.3 metres.

(4) Permitted Encroachments - Exterior Main Wall Surface

In the CR zone cladding added to the original exterior surface of the **main wall** of a **building**, may encroach into a required minimum **building setback** a maximum of 0.15 metres, if the **building** is at least 5 years old.

(5) Permitted Encroachments - Architectural Features

In the CR zone, architectural features on a **building** must comply with the following:

- (A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on a **building** may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it is no closer to a **lot line** than 0.3 metres; and
- (B) a chimney breast, on a **building**, may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it is:
  - (i) no wider than 2.0 metres; and
  - (ii) no closer to a **lot line** than 0.3 metres.

(6) Permitted Encroachments - Window Projections

In the CR zone a bay window, box window, or other window projection from a **main wall** of a **building**, which increases floor area or enclosed space and does not touch the ground, may encroach:

- (A) into a required minimum **front yard setback** or required minimum **rear yard setback** a maximum of 0.75 metres, if the window projections in total do not occupy more than 65% of the width of the front **main wall** or rear **main wall** at each **storey**; and
- (B) into a required minimum **side yard setback** a maximum of 0.6 metres, if the window projections:
  - (i) in total do not occupy more than 30% of the width of the side **main wall** at each **storey**; and
  - (ii) are no closer to the **side lot line** than 0.6 metres.

(7) Permitted Encroachments - Roof Projections

In the CR zone, roof projections must comply with the following:

- (A) a dormer projecting from the surface of the roof, may not have any wall of the dormer closer to a **lot line** than the required minimum **building setback** for the building's **main wall**; and
- (B) the eaves may encroach into a required minimum **building setback** a maximum of 0.9 metres, if they are no closer to the **lot line** than 0.3 metres.

(8) Permitted Encroachments - Equipment

On a **building** in the CR zone, the following wall mounted equipment may encroach into a required minimum **building setback** as follows, if they are no closer to the **lot line** than 0.3 metres:

- (A) an air conditioner a maximum of 0.9 metres, into the required minimum **rear yard setback** or required minimum **side yard setback** if it is not located above the first **storey**;
- (B) a satellite dish a maximum of 0.9 metres;
- (C) an antennae or pole used to hold an antennae a maximum of 0.9 metres into a required minimum **rear yard setback** or **side yard setback**; and
- (D) a vent or pipe a maximum of 0.6 metres into a required minimum **rear yard setback** or required minimum **side yard setback**.

(9) Permitted Encroachments - Required Angular Planes

In the CR zone, permitted encroachments may not penetrate into an **angular plane** required by this By-law.

#### 40.10.40.70 Setbacks

(1) Development Standard Set 1 - Building Setbacks

In the CR zone subject to Development Standard Set 1 (SS1), a **building** or **structure** is subject to the following:

- (A) at least 75% of the **main wall** of the **building** facing a **front lot line** must be at or between the **front lot line** and a maximum of 3.0 metres from the **front lot line**;
- (B) where the **main wall** of a **building** has windows or openings, the **main wall** must be set back at least 5.5 metres from a **lot line** that is not adjacent to a **street** or **lane**, otherwise no **building setback** is required;
- (C) where the **main wall** of a **building** does not have windows or openings, the **main wall** must be set back at least 3.0 metres from a **rear lot line** or **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, otherwise no **building setback** is required; and
- (D) a **place of worship** is exempt from regulation (A) above.

(2) Development Standard Set 2 - Building Setbacks

In the CR zone subject to Development Standard Set 2 (SS2), a **building** or **structure** is subject to the following:

- (A) at least 75% of the **main wall** of the **building** facing a **front lot line** must be at or between the **front lot line** and a maximum of 3.0 metres from the **front lot line**;
- (B) the **building** must be set back:
  - (i) at least 7.5 metres from the **rear lot line**; or
  - (ii) where the **rear lot line** abuts a **lane**, at least 7.5 metres from the **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**; and
- (C) where the **main wall** of a **building** has windows or openings, the **main wall** must be set back at least 5.5 metres from a **side lot line** that is not adjacent to a **street** or **lane**, otherwise no **building setback** is required;
- (D) where the **main wall** of a **building** does not have windows or openings, the **main wall** must be set back at least 3.0 metres from a **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, otherwise no **building setback** is required;
- (E) if a **lot** abuts a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category, or if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category by a **lane**, no **building** or **structure** on the **lot** in the CR zone may penetrate a 45 degree **angular plane** projected:
  - (i) over a shallow **lot**, along the entire required **rear yard setback**, starting at a height of 10.5 metres above the average elevation of the ground along the **rear lot line**; and
  - (ii) over a deep **lot**, along the entire required **rear yard setback**, starting at a height of 7.5 metres above the average elevation of the ground along the **rear lot line**; and [ By-law: 607-2015 ]
- (F) for the purpose of regulation 40.10.40.70(2)(E):
  - (i) a shallow **lot** is a **lot** with a **lot depth** less than or equal to that which is prescribed in column B corresponding to the width of the **street** right-of-way on which the **lot** has frontage in column A; and
  - (ii) a deep **lot** is a **lot** with a **lot depth** greater than that which is prescribed in column B corresponding to the width of the **street** right-of-way on which the **lot** fronts in column A:

Width of <b>street</b> right-of-way	<b>Lot depth</b>
(column A)	(column B)
20 metres	32.6 metres
23 metres	36.2 metres
27 metres	41.0 metres
30 metres	44.6 metres
33 metres	48.2 metres
36 metres	51.8 metres

- (iii) the specified height above the required **rear yard setback** at which the **angular plane** is measured, must be taken from the average elevation of the ground along the **rear lot line**; and
- (iv) where a **lot** fronts on a **street** right-of-way that is not listed in column A, the next lowest width of **street** right-of-way in column A applies;
- (G) the **building** may not penetrate a 45 degrees **angular plane**, measured at a line parallel to and at a height above a **lot line** that abuts a **street** and is not a **rear lot line**, equal to 80% of the width of the **street** right-of-way on which the **lot** fronts;
- (H) if a **lot** has two or more **lot lines** that abut a **street**, then the **lot line** abutting the **street** with the widest **street** right-of-way is the **lot line** to which regulation 40.10.40.70(2)(G) applies; and
- (I) a **place of worship** is exempt from regulation (A) above.

### (3) Development Standard Set 3 - Building Setbacks

In the CR zone subject to Development Standard Set 3 (SS3), a **building** or **structure** is subject to the following:

- (A) the **building** must be set back:
  - (i) at least 7.5 metres from the **rear lot line**; or
  - (ii) where the **rear lot line** abuts a **lane**, at least 7.5 metres from the **lot line** of the **lot** abutting the **lane** on the opposite side of the **lane**; and

- (iii) at least 3.0 metres from a **side lot line** if the **side lot line** abuts a **street** that is not a major **street** on the Policy Areas Overlay Map; and
- (B) where the **main wall** of a **building** has windows or openings, the **main wall** must be set back at least 5.5 metres from a **side lot line** that is not adjacent to a **street** or **lane**, otherwise no **building setback** is required;
- (C) where the **main wall** of a **building** does not have windows or openings, the **main wall** must be set back at least 3.0 metres from a **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, otherwise no **building setback** is required;
- (D) if a **lot** abuts a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category, or if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category by a **lane**, no **building** or **structure** on the **lot** in the CR zone may penetrate a 45 degree **angular plane** projected:
  - (i) over a shallow **lot**, along the entire required **rear yard setback**, starting at a height of 10.5 metres above the average elevation of the ground along the **rear lot line**; and
  - (ii) over a deep **lot**, along the entire required **rear yard setback**, starting at a height of 7.5 metres above the average elevation of the ground along the **rear lot line**; and [ By-law: 607-2015 ]
- (E) for the purpose of Regulation 40.10.40.70(3)(D):
  - (i) a shallow **lot** is a **lot** with a **lot depth** less than or equal to that which is prescribed in column B corresponding to the width of the **street** right-of-way on which the **lot** fronts in column A;
  - (ii) a deep **lot** is a **lot** with a **lot depth** greater than that which is prescribed in column B corresponding to the width of the **street** right-of-way on which the **lot** fronts in column A:

Width of <b>street</b> right-of-way	<b>Lot depth</b>
(column A)	(column B)
20 metres	32.6 metres
23 metres	36.2 metres
27 metres	41.0 metres
30 metres	44.6 metres
33 metres	48.2 metres
36 metres	51.8 metres

- (iii) the specified height above the required minimum **rear yard building setback** at which the **angular plane** is to be measured, must be taken from the average elevation of the ground along the **rear lot line**; and
  - (iv) where a **lot** fronts on a **street** right-of-way that is not listed in column A, the next lowest width of **street** right-of-way in column A applies.
- (4) Minimum Building Setback from Front Lot Line for Residential Uses on the First Storey  
Despite regulations 40.10.40.70(1)(A), and 40.10.40.70(2)(A), for a **building** constructed pursuant to a building permit issued three years after May 9, 2013, any portion of a **building** with **dwelling units** located in the first **storey** of a **building** must be set back:
- (A) at least 4.5 metres from the **front lot line**; or
  - (B) at least 3.0 metres from the **front lot line** if that the floor level of the first **storey** is located at least 0.9 metres and a maximum of 1.2 metres above the average elevation of the ground along the **front lot line**.

- (5) Building Setbacks Below Grade - Development Standard Set 1 and Development Standard Set 2  
(DELETED BY OMB ORDER, JULY 12, 2017 – PL130592) [ By-law: OMB PL130592 ]

#### 40.10.40.71 Setbacks Exemptions

- (1) Permitted Building Setbacks for Lawfully Existing Buildings  
In the CR zone:

- (A) If the **lawful building setback** of a **lawfully existing building** or **structure** is more than the permitted maximum **building setback** from a **front lot line**, that **lawful building setback** is the permitted maximum **front yard setback** for that **lawfully existing building** or **structure**; and
  - (B) If the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:
    - (i) a **rear lot line**, that **lawful building setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; or
    - (ii) a **side lot line**, that **lawful building setback** is the minimum **side yard setback** for that **lawfully existing building** or **structure**. [ By-law: 1774-2019 ]
- (2) Required Building Setbacks for Additions to Lawfully Existing Buildings  
Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 40.10.40.71(1) must comply with the permitted maximum and required minimum **building setbacks** or be authorized by a Section 45 Planning Act minor variance.
- (3) Required Building Angular Planes for Lawfully Existing Buildings  
In the CR zone, if a **lawfully existing building** or **structure** penetrates an **angular plane** required by this By-law, the **lawfully existing building** or **structure** does not have to comply with the **angular plane** requirement.
- (4) Required Building Angular Planes for Additions to Lawfully Existing Buildings  
Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 40.10.40.71(3) must comply with the required **angular planes** or be authorized by a Section 45 Planning Act minor variance.
- (5) Transportation Use Exemption  
Regulations 40.10.40.70(1)(2) and (3) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the setbacks are between 0 and 110 metres. [By-law 103-2016]  
[ By-law: 1031-2014 ]

#### 40.10.40.80 Separation

- (1) Separation of Building Walls - Development Standard Set 1  
For a **lot** in the CR zone, subject to Development Standard Set 1 (SS1), any **main wall** of a **building** must comply with the following:
- (A) where a **main wall** of the **building** has windows and a line projected at a right angle from one of these **main walls** intercepts another **main wall** with windows on the same **lot**, the required minimum above-ground distance between the **main walls** must be 11.0 metres; and
  - (B) where a **main wall** of the **building** has windows facing another **main wall** on the same **lot** which does not have windows and a line projected at a right angle from one of these **main walls** intercepts the other **main wall**, the required minimum above-ground distance between the **main walls** is 5.5 metres.
- (2) Separation of Building Walls - Development Standard Set 2 and Development Standard Set 3  
For a **lot** in the CR zone, subject to Development Standard Set 2 (SS2) or Development Standard Set 3 (SS3), the portion of a **building** which has a height equal to or less than the width of the right-of-way of the **street** it abuts must comply with the following:
- (A) where a **main wall** of the **building** has windows and a line projected at a right angle from that **main wall** intercepts another **main wall** with windows on the same **lot**, the required minimum above-ground distance between the **main walls** is 11.0 metres; and
  - (B) where a **main wall** of the **building** has windows facing another **main wall** on the same **lot** which does not have windows and a line projected at a right angle from one of these **main walls** intercepts the other **main wall**, the required minimum above-ground distance between the **main walls** is 5.5 metres.

#### 40.10.40.81 Separation Exemptions

- (1) Permitted Separation Between Main Walls for Lawfully Existing Buildings  
In the CR zone, if the **lawful** separation distance between the **main walls** of **lawfully existing buildings** on the same **lot**, or between **main walls** of the same **lawfully existing building**, is less than the required minimum separation



distance between **main walls**, that **lawful** separation distance is the minimum separation distance for those **lawful main walls** of those **lawfully existing buildings**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 40.10.40.81(1) must comply with the required minimum separation distance between **main walls** or be authorized by a Section 45 Planning Act minor variance.

#### 40.10.50 Yards

##### 40.10.50.10 Landscaping

(1) Landscaping Requirement in CR Zone

In the CR zone:

(A) subject to Development Standard Set 1 (SS1), or Development Standard Set 2 (SS2), no **landscaping** is required unless regulation 40.10.50.10(3) applies; and

(B) subject to Development Standard Set 3 (SS3):

- (i) on a **lot** where any portion of a **main wall** of a **building** is set back from the **front lot line** 3.0 metres or greater, a minimum 3.0 metre wide strip of **landscaping** must be provided between any **lot line** that abuts a **street** and those portions of a **main wall**; and
- (ii) no **landscaping** is required on a **lot** where all portions of the **main walls** of a **building** are set back from the **front lot line** 3.0 metres or less.

(2) Fence Requirement if Abutting a Lot in the Residential or Residential Apartment Zone Category

In the CR zone, if a **lot** abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category a fence must be installed along the portion of a **lot line** abutting the **lot** in the Residential Zone category or Residential Apartment Zone category.

(3) Landscaping Requirement if Abutting a Lot in the Residential or Residential Apartment Zone Category

If a **lot** in the CR zone abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, a minimum 1.5 metre wide strip of land used only for **soft landscaping** must be provided along the part of the **lot line** abutting the **lot** in the Residential Zone category or Residential Apartment Zone category.

##### 40.10.50.11 Landscaping Exemptions

(1) Landscaping Exemptions

Regulations 40.10.50.10(1) and (3) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East. [103-2016] [ By-law: 1031-2014 ]

#### 40.10.80 Parking

##### 40.10.80.10 Location

(1) Location of Outdoor Surface Parking- SS1 and SS2 Areas

In the CR zone subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2), a surface **parking space** may not be located in the **front yard**.

##### 40.10.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

A **parking space** that is not in a **building** or **structure** must be set back at least 0.5 metres from a **lot line**.

(2) Location of Outdoor Surface Parking- Corner Lots in SS2 Area

On a **corner lot** in the CR zone subject to Development Standard Set 2 (SS2), a **parking space** must be set back at least 7.5 metres from a **lot** in the Residential Zone category, Residential Apartment Zone category or Open Space zone category.

#### 40.10.90 Loading

##### 40.10.90.1 General

(1) Loading Space Options Mixed Use Buildings

In the CR zone, if a **mixed use building** has a minimum of 30 **dwelling units**, the requirement for a Type "G" **loading space**, is satisfied if a Type "A" **loading space** or a Type "B" **loading space** required for the non-residential uses in the building is constructed to the larger applicable length, width or vertical clearance dimensions of a Type "G" **loading space**, referred to in regulation 220.5.1.10(8). [ By-law: 1429-2017 ]

(2) Loading Space Options Mixed Use Buildings

In the CR zone, if a **mixed use building** has a minimum of 400 **dwelling units**, a Type "C" **loading space** required for the **dwelling units** is satisfied if a Type "A", Type "B" or Type "C" **loading space**, referred to in regulation 220.5.1.10(8), is provided for the non-residential uses in the same **building**.

##### 40.10.90.10 Location

(1) Loading Space Location

A **loading space** may not be located in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) any **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

##### 40.10.90.11 Location Exemptions

(1) Loading Space Location Exemption

If a **lawfully existing building** has a **loading space** that does not comply with the **loading space** location requirements of regulation 40.10.90.10(1), that **lawful loading space** is exempt from the requirements of regulation 40.10.90.10(1).

##### 40.10.90.40 Access to Loading Space

(1) Access to Loading Space - Restrictions

In a CR zone, for a **lot** subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2):

- (A) if the **lot** abuts a **lane**, **vehicle** access to a **loading space** must be from the **lane**; and
- (B) if the corner lot, does not abut a lane and has at least one **lot line** abutting a **street** which is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to a **loading space** must be from the **street** which is not a major **street**. [ By-law: 607-2015 ]

(2) Loading Restrictions if Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category

In the CR zone where a **lot** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, **vehicle** access to the **loading space** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category.

(3) Conditional Combined Access to a Loading Space

In a CR zone, a **lot** subject to Development Standard Set 1(SS1) or Development Standard Set 2(SS2) access to a **loading space** is permitted across a **lot line** that abuts a **street** if:

- (A) a **loading space** cannot be provided on a **lot** in accordance with the requirements of regulation 40.10.90.40 (1); and

(B) the access to the **loading space** is combined with the **vehicle** access permitted in 40.10.100.10(1)(C). [ By-law: PL130592 Nov21\_2018 ]

#### 40.10.90.41 Access to Loading Space Exemptions

(1) Access Through a Main Wall to a Loading Space Exemption

If a **lawfully existing building** has a **lawful loading space** access in a **main wall** that does not comply with the **loading space** location requirements of regulation 40.10.90.40(3), that **lawful loading space** is exempt from the requirements of regulation 40.10.90.40(3).

(2) Access to a Loading Space Exemption

If a **lot** has a **lawfully existing** access for **loading spaces** that does not comply with the location requirements of regulation 40.10.90.10(1), that **lawful** access is exempt from the requirements of regulation 40.10.90.40(1). [ By-law: 607-2015 Under Appeal ]

#### 40.10.100 Access to Lot

##### 40.10.100.10 Location

(1) Vehicle Access – Restrictions

In a CR zone, for a **lot** subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2):

- (A) if the **lot** abuts a **lane**, **vehicle** access to that **lot** must be from the **lane**; and
- (B) if the **corner lot** does not abut a **lane** and has at least one **lot line** abutting a **street** which is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to that **lot** must be from a **street** which is not a major **street**;
- (C) only one **vehicle** access is permitted; and
- (D) regulations (A), (B), and (C) above, do not apply to restrict the following uses:
  - (i) Ambulance Depot
  - (ii) City Services, referred to in regulation 5.10.20.1(1);
  - (iii) Fire Hall;
  - (iv) Police Station; or
  - (v) **Vehicle Fuel Station**. [ By-law: 607-2015 ]

(2) Access to Parking Areas if Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category

In the CR zone, where a **lot** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, **vehicle** access to a **parking space** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category.

##### 40.10.100.11 Location Exemptions

(1) Vehicle Access Exemption

If a **lot** has a **lawfully existing** access for **vehicles** that does not comply with the location requirements of regulation 40.10.100.10(1), that **lawful** access is exempt from the requirements of regulation 40.10.100.10(1). [ By-law: 607-2015 ]

#### 40.10.150 Waste

##### 40.10.150.1 General

(1) Waste and Recyclable Materials Storage

In the CR zone:

- (A) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013; and

(B) if the waste and **recyclable material** is stored in an **ancillary building**, the **ancillary building**:

(i) may not be located in a **side yard** that abuts a **street** or in a **front yard**; and

(ii) must be located at least:

(a) 7.5 metres from a **lot** in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and

(b) 1.0 metres from all other **side lot lines** and **rear lot lines**.

## Chapter 50 Commercial Residential Employment

### 50.5 Regulations Applying to the Commercial Residential Employment Zone Category

#### 50.5.1 General

##### 50.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 50.5 apply to all lands, uses, **buildings** and **structures** in the Commercial Residential Employment Zone category.

(2) Interpretation of the Commercial Residential Employment Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Commercial Residential Employment Zone category consists of the letters CRE, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label

In the Commercial Residential Employment Zone category, the letters following the zone symbol in the zone label have the following meaning:

(A) a numerical value indicating the permitted maximum floor space index for all land uses on a **lot** and may be followed by one or more of the following in brackets:

(i) the letter "c" and a numerical value indicates the permitted maximum floor space index for non-residential uses on a **lot**;

(ii) the letter "r" and a numerical value indicates the permitted maximum floor space index for residential uses on a **lot**; and

(iii) the letter "e" and a numerical value indicates the permitted maximum floor space index for employment uses on a **lot**. [ By-law: 1092-2021 ]

##### 50.5.1.20 Restrictions

(1) Use Restrictions on Commercial Residential Employment Lots without Street Frontage

If a **lot** in the Commercial Residential Employment Zone category does not front on a **street** and has its only **vehicle** access from a **lane** or private right-of-way that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, the **lot** may only be used for required **parking spaces**.

(2) Living Accommodation in Ancillary Buildings

In the Commercial Residential Employment Zone category, **ancillary buildings** may not be used for living accommodation.

#### 50.5.20 Permitted Uses

##### 50.5.20.1 General

(1) Firearm Manufacturing

The making of a firearm or any part of a firearm is not a permitted **manufacturing use** in the Commercial Residential Employment Zone category.

(2) Firearms Manufacturing Interpretation

A gunsmith or **custom workshop** that makes a firearm is a **manufacturing use** and must comply with regulation 50.5.20.1(1).

(3) Firearm Manufacturing for the Entertainment Industry

Despite regulation 50.5.20.1(1) and (2), the making of a firearm or any part of a firearm for use in a motion picture or television show is not a **manufacturing use**.

## 50.5.40 Principal Building Requirements

### 50.5.40.1 General

(1) Building Requirements

Additional **building** requirements are in each zone in the Commercial Residential Employment Zone category.

### 50.5.40.10 Height

(1) Determining the Height of Buildings in Commercial Residential Employment Zones

In the Commercial Residential Employment Zone category, the height of a **building** is the distance between the average elevation of the ground along the **front lot line**, or in the case of a **corner lot**, the average elevation of the ground along all **lot lines** that abut a **street** and the elevation of the highest point of the **building**.

(2) Determining the Height of Structures in Commercial Residential Employment Zones

In the Commercial Residential Employment Zone category the height of a **structure** that is not a **building** is the distance between **average grade** and the elevation of the highest point of that **structure**.

(3) Height of Specific Structures on a Building

In the Commercial Residential Employment Zone category, the following **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres:

- (A) antennae;
- (B) flagpoles; and
- (C) satellite dishes.

(4) Height of Elements for Functional Operation of a Building

In the Commercial Residential Employment Zone category, equipment and **structures** on the roof of a **building**, may exceed the permitted maximum height for that **building** by 5.0 metres, subject to regulation 50.5.40.10(5):

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **building** that are used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover the equipment, **structures** and parts of a **building** listed in (A) and (B) above.

(5) Height - Horizontal Limits on Elements for Functional Operation of a Building

In the Commercial Residential Employment Zone category, equipment, **structures** or parts of a **building** that exceed the maximum height for a **building**, as permitted by regulation 50.5.40.10(4), must comply with the following:

- (A) the total area of all equipment, **structures**, or parts of a **building** may cover no more than 30% of the area of the roof, measured horizontally; and
- (B) if any equipment, **structures**, or parts of a **building** are located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(6) Height of Rooftop Amenity Space Safety and Wind Protection Elements

In the Commercial Residential Employment Zone category, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

(7) Height of Buildings and Structures - Green Roof

In the Commercial Residential Employment Zone category, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

(8) Limits on Elements for Functional Operation of a Building for Towers

In the Commercial Residential Employment Zone category:

- (A) Despite regulations 50.5.40.10 (4) and (5), equipment, **structures** or parts of a **building** listed in regulation 50.5.40.10 (4) located on the roof of the tower portion of a **building** may exceed the permitted maximum height for that **building** by 6.5 metres, if the total area of all equipment, **structures**, or parts on the roof of the tower portion of the **building** cover no more than 450 square metres, measured horizontally;
- (B) chimneys, pipes, and vents, may further exceed the permitted maximum height in (A) by 3.0 metres; and
- (C) For the purpose of regulation 50.5.40.10(8), a "tower" is the portions of a **building** which collectively enclose the entirety of a **storey** higher than 24.0 metres above the **average grade**, and where the maximum average **gross floor area** of any **storey** located above 24.0 metres does not exceed 750 square metres. [ By-law: LPAT PL130592 March 6, 2020 ]

#### 50.5.40.40 Floor Area

(1) Gross Floor Area Calculations for a Non-residential Building in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category the **gross floor area** of a **non-residential building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) elevator shafts;
- (F) mechanical penthouse; and
- (G) exit stairwells in the **building**.

(2) Floor Space Index Calculation for a Non-residential Building in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category the floor space index for a **non-residential building** is the result of the **gross floor area** minus the areas listed in regulation 50.5.40.40(1) divided by the area of the **lot**.

(3) Gross Floor Area Calculations for a Mixed Use Building in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category the **gross floor area** of a **mixed use building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** on the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) **amenity space** required by this By-law;
- (F) elevator shafts;
- (G) garbage shafts;
- (H) mechanical penthouse; and
- (I) exit stairwells in the **building**.

(4) Floor Space Index Calculation for a Mixed Use Building in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category the floor space index for a **mixed use building** is the result of the **gross floor area** minus the areas listed in regulation 50.5.40.40(3) divided by the area of the **lot**.

(5) Gross Floor Area Calculations for an Apartment Building in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category the **gross floor area** of an **apartment building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]

- (E) **amenity space** required by this By-law;
- (F) elevator shafts;
- (G) garbage shafts;
- (H) mechanical penthouse; and
- (I) exit stairwells in the **building**.

(6) Floor Space Index Calculation for an Apartment Building in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category the floor space index for an **apartment building** is the result of the **gross floor area** minus the areas listed in regulation 50.5.40.40(5) divided by the area of the **lot**.

(7) Gross Floor Area Calculations Regarding Attic Space in a Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category, the **gross floor area** of a **detached house, semi-detached house, townhouse, duplex, triplex, or fourplex** includes floor area in an attic above the **main walls** of the **building**, if it:

- (A) is accessed by means of a permanent stair case or mechanical elevating device; or
- (B) has a vertical clearance of more than 1.4 metres between the ceiling joists below and the roof rafters, and at least 80% of the area has a vertical clearance of more than 2.0 metres and an area of at least 10.0 square metres.

(8) Exclusion of Certain Floor Area in an Attic for Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex in a Commercial Residential Employment Zone Category

If the floor area meets the conditions in regulation 10.5.40.40(1), and the area or a portion of the area is used for housing or maintaining mechanical equipment for the **building** and does not exceed 20.0 square metres, the floor area or portion thereof is not included in the **gross floor area** of the **building**.

(9) Gross Floor Area Calculations for a Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category, the **gross floor area** of a **detached house, semi-detached house, townhouse, duplex, triplex, or fourplex** may be reduced by:

- (A) the floor area of the **basement**, unless the **established grade** is higher than the average elevation of the ground along the rear **main wall** of the **residential building** by 2.5 metres or more, in which case the **gross floor area** of the **building** may be reduced by 50% of the floor area of the **basement**;
- (B) the area of a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum **gross floor area** for the **building**;
- (C) the area for a maximum of one **parking space** per **dwelling unit** in the **building**. [ By-law: 89-2022 ]
- (D) in addition to (C) above, the area used for one additional **parking space** in a **detached house** on a **lot** with a **lot frontage** of more than 12.0 metres.

(10) Floor Space Index Calculation for a Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex Building in a Commercial Residential Employment Zone Category

In the Commercial Residential Employment Zone category, the floor space index for a **detached house, semi-detached house, townhouse, duplex, triplex, or fourplex** is the result of the **gross floor area**, plus the area of an attic described in regulation 50.5.40.40(7) and subject to regulation 50.5.40.40(8) minus the areas listed in regulation 50.5.40.40(9), divided by the area of the **lot**.

#### 50.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the Commercial Residential Employment Zone category, if the **lawful gross floor area** of **lawfully existing buildings** or **structures** on a **lot** results in a floor space index greater than the permitted maximum floor space index, the **lawful** floor space index resulting from those **lawfully existing buildings** or **structures** on that **lot** is the maximum floor space index for those **lawfully existing buildings** or **structures** on that **lot**.

#### 50.5.40.60 Permitted Encroachments



(1) Canopies and Awnings

In the Commercial Residential Employment Zone category, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** that abuts a **street**, if no part of the canopy, awning or similar **structure** is located more than 5.0 metres above the elevation of the ground directly below it.

#### 50.5.40.70 Setbacks

(1) Building or Structure to be Set Back from a Lane

A **building** or **structure** in the Commercial Residential Employment Zone category may be:

- (A) no closer than 3.0 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is not in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and
- (B) no closer than 3.5 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category.

#### 50.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Building from a Lane

In the Commercial Residential Employment Zone category, if the **lawful** distance of a **lawfully existing building** or **structure** from the original centreline of a **lane** is less than the required minimum distance from the original centreline of the **lane**, that **lawful** distance is the minimum distance from the original centreline of the **lane** for that **lawfully existing building** or **structure**.

(2) Additions Above Lawfully Existing Buildings in Relation to a Lane

The required minimum distance from the original centreline of a **lane** for any addition or extension above a **lawfully existing building** or **structure** referred to in regulation 50.5.40.71(1) is the minimum distance from the original centreline of the **lane** permitted by regulation 50.5.40.71(1).

#### 50.5.75 Energy Regulations

##### 50.5.75.1 General

(1) Renewable Energy and Cogeneration Energy Device - Location Restriction

In the Commercial Residential Employment Zone category, a device producing **renewable energy** or **cogeneration energy** on a **lot** may not be in a **front yard** or **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height Requirements

In the Commercial Residential Employment Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

- (A) on a **building**:
  - (i) must comply with the required minimum **building setbacks** for a **building** on the **lot**; and
  - (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the **building**; and
- (B) ground mounted, must comply with the requirements for a **building** or **structure** on the **lot**.

(3) Wind Energy Device - Building Setbacks

In the Commercial Residential Employment Zone category, a **wind energy** device must comply with the required minimum **building setbacks** for a **building** on the **lot**.

(4) Wind Energy Device - Height

In the Commercial Residential Employment Zone category, no part of a **wind energy** device may exceed the permitted maximum height for a **building** as follows:

- (A) on a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, by 3.0 metres;
- (B) if the permitted maximum height of a **building** is less than 25.0 metres, by 3.0 metres; and

(C) in all other cases, by 5.0 metres.

(5) Geo-energy Requirements

In the Commercial Residential Employment Zone category, any above-ground part of a **geo-energy** device must comply with the requirements for a **building** or **structure** on the **lot**.

(6) Cogeneration Device

In the Commercial Residential Employment Zone category, a **cogeneration energy** device must be located inside a permitted **building**.

## 50.5.80 Parking

### 50.5.80.1 General

(1) Use of Required Parking Space

A **parking space** required by this By-law for a use in the Commercial Residential Employment Zone category must be available for the use for which it is required.

### 50.5.80.10 Location

(1) Location of Required Parking Spaces

A **parking space** must be on the same **lot** as the use for which the **parking space** is required.

## 50.10 Commercial Residential Employment Zone (CRE)

### 50.10.1 General

#### 50.10.1.10 Interpretation

(1) Application of This Section

The regulations in Section 50.10 apply to lands, uses, **buildings** and **structures** in the CRE zone.

(2) Medical Office

In the CRE zone, a medical office includes a medical clinic.

### 50.10.20 Permitted Uses

#### 50.10.20.10 Permitted Use

(1) Use - CRE Zone

- (A) In the CRE zone, the following uses are permitted under the letter "c" in the zone label referred to in regulation 50.5.1.10(3)(A)(i):

Ambulance Depot  
**Art Gallery**  
**Artist Studio**  
**Automated Banking Machine**  
**Community Centre**  
Courts of Law  
**Custom Workshop**  
**Education Use**  
**Financial Institution**  
Fire Hall  
**Hospital**  
Library  
**Massage Therapy**  
Medical Office  
**Museum**  
Office  
**Park**  
**Passenger Terminal**  
**Performing Arts Studio**  
**Personal Service Shop**  
**Pet Services**  
Police Station  
**Post-Secondary School**  
**Production Studio**  
**Religious Education Use**  
**Respite Care Facility**  
**Retail Service**  
**Service Shop**  
**Software Development and Processing**  
**Veterinary Hospital**  
**Wellness Centre** [ By-law: 1198-2019 ]

- (B) In the CRE zone, the following uses are permitted under the letter "r" in the zone label referred to in regulation 50.5.1.10(3)(A)(ii):

**Dwelling Unit** in a permitted **building** type in Clause 50.10.20.40  
**Hospice Care Home**  
**Municipal Shelter**  
**Nursing Home**

**Religious Residence**  
**Residential Care Home**  
**Retirement Home**  
**Student Residence** [ By-law: 545-2019 ]

- (C) In the CRE zone, the following uses are permitted under the letter "e" in the zone label referred to in regulation 50.5.1.10(3)(A)(iii):

Beverage **Manufacturing Use**  
Bindery  
Carpenter's Shop  
Cold Storage  
Computer, Communications, Electronics, or Optical Media **Manufacturing Use**  
Dry Cleaning or Laundry Plant  
Furniture **Manufacturing Use**  
**Industrial Sales and Service Use**  
Medical Equipment and Supplies **Manufacturing Use**  
Metal Products **Manufacturing Use**  
Printing Establishment  
**Self-storage Warehouse**  
**Warehouse**  
**Wholesaling Use**

#### **50.10.20.20 Permitted Use - with Conditions**

##### (1) Use with Conditions - CRE Zone

- (A) In the CRE zone, the following uses are permitted under the "c" in the zone label referred to in regulation 50.5.1.10(3)(A)(i) if they comply with the specific conditions associated with the reference number(s) for each use in Clause 50.10.20.100:

**Amusement Arcade** (1,31)  
**Animal Shelter** (9)  
**Cabaret** (2)  
**Club** (2)  
**Day Nursery** (26)  
**Eating Establishment** (2,32)  
**Entertainment Place of Assembly** (2,39)  
**Funeral Home** (4)  
**Hotel** (5)  
**Laboratory** (10)  
**Nightclub** (2,3)  
**Outdoor Patio** (21)  
Outdoor Sales or Display (41)  
**Place of Assembly** (2,28)  
**Place of Worship** (34)  
**Private School** (27)  
**Public School** (27)  
**Public Utility** (7,44)  
**Public Works Yard** (8)  
**Recreation Use** (2,39)  
**Retail Store** (6)  
**Sports Place of Assembly** (39)  
**Take-out Eating Establishment** (2)  
**Transportation Use** (43)  
**Vehicle Dealership** (22)  
**Vehicle Fuel Station** (23)  
**Vehicle Service Shop** (24)  
**Vehicle Washing Establishment** (25) [ By-law: 1198-2019 ]

- (B) In the CRE zone, the following uses are permitted under the letter "r" in the zone label referred to in regulation 50.5.1.10(3)(A)(ii) if they comply with the specific conditions associated with the reference number(s) for each

use in Clause 50.10.20.100:

**Crisis Care Shelter** (36)  
**Group Home** (29)  
**Private Home Daycare** (38)  
Rooming House (40)  
**Secondary Suite** (37)  
**Seniors Community House** (35)  
**Short-term Rental** (33) [By-law 1453-2017]  
**Tourist Home** (20)  
[ By-law: 545-2019 ]

- (C) In the CRE zone, the following uses are permitted under the letter "e" in the zone label referred to in regulation 50.5.1.10(3)(A)(iii) if they comply with the specific conditions associated with the reference number(s) for each use in Clause 50.10.20.100:

Apparel and Textile **Manufacturing Use** (12)  
Clay Product **Manufacturing Use** (16, 19)  
**Cogeneration Energy** (42)  
Contractor's Establishment (11)  
Food **Manufacturing Use** (13)  
Glass Product **Manufacturing Use** (15)  
Pharmaceutical and Medicine **Manufacturing Use** (16, 17)  
Plastic Product **Manufacturing Use** (16, 18)  
**Renewable Energy** (42)  
Wood Product **Manufacturing Use** (14)

#### 50.10.20.40 Permitted Building Types

(1) Permitted Building Types for Dwelling Units

In the CRE zone the following **building** types for **dwelling units** are permitted:

**Detached House;**  
**Semi-Detached House;**  
**Townhouse;**  
**Duplex;**  
**Triplex;**  
**Fourplex;**  
**Apartment Building;** and  
**Mixed Use Building.**

#### 50.10.20.100 Conditions

(1) Amusement Arcade

In the CRE zone, an **amusement arcade** may not be located:

- (A) in a **building** that has a **hotel** with less than 100 guest rooms; or  
(B) on a **lot** if any part of the **lot** is less than:  
(i) 150 metres from any other **lot** with an **amusement arcade**; and  
(ii) 300 metres from any **lot** with a **public school** or **private school**.

(2) Cabaret, Club, Eating Establishment, Entertainment Place of Assembly, Nightclub, Place of Assembly, Recreation Use and Take-out Eating Establishment

In the CRE zone:

- (A) the total **interior floor area** of all **cabarets, clubs, eating establishments, entertainment places of assembly, nightclubs, places of assembly, recreation uses** and **take-out eating establishments** on a **lot** within 6.1 metres of a **lot** in the Residential Zone category or Residential Apartment Zone category may not exceed 400 square metres;  
(B) the calculation of total **interior floor area** is reduced by:

- (i) the **interior floor area** used for items listed in regulations 50.5.40.40(1) (A) to (G) and 50.5.40.40(3) (A) to (I); and
  - (ii) in the case of an **eating establishment** or **take-out eating establishment**, the areas used for associated offices, storage rooms, and staff rooms located in the **basement** or on a different **storey** than the **eating establishment** or **take-out eating establishment**; and
- (C) the **interior floor area** size restriction in regulation (A) above does not apply to **cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments**, if the **lot** is more than 6.1 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category.

(3) Nightclub

In the CRE zone, a **nightclub** is subject to the following:

- (A) it must be located on the first **storey**;
- (B) it must be on a **lot** that does not abut a **lot** in the Residential Zone category or Residential Apartment Zone category; [ By-law: 1774-2019 ]
- (C) it must be the only **nightclub** in the **building**;
- (D) the **front lot line** or **side lot line** of the **lot** may not abut Spadina Ave.; and
- (E) if the **lot** is west of Spadina Ave.:
  - (i) the **lot** must have existed on February 14, 2006;
  - (ii) the maximum **interior floor area** of a **nightclub** may not exceed 350 square metres;
  - (iii) the **nightclub** must be on a **lot** that abuts King Street West, or Richmond Street West, or Adelaide Street West; and
  - (iv) the total number of **nightclubs** in the CRE zone west of Spadina Ave. may not be more than 14.

(4) Funeral Home

In the CRE zone, a **funeral home** must comply with the specific use regulations in Section 150.120.

(5) Hotel Location in a Building with Dwelling Units

In the CRE zone, no **hotel** room or suite may be located on the same **storey** as a **dwelling unit**.

(6) Retail Store with Beverage Manufacturing Use for Beer, Cider or Wine Production

In the CRE zone, a **retail store** may include beverage **manufacturing use** for beer, cider or wine, if the **interior floor area** of the **retail store**, including the beverage **manufacturing use**, does not exceed 400.0 square metres. [ By-law: 1198-2019 ]

(7) Public Utility

In the CRE zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant.

(8) Public Works Yard

In the CRE zone, a **public works yard** must be in a wholly enclosed **building** and there may be no **open storage**.

(9) Animal Shelter

In the CRE zone, an **animal shelter** must be the only use in the **building**.

(10) Laboratory

In the CRE zone, a **laboratory** may not be in a **building** with a **dwelling unit**.

(11) Contractor's Establishment

In the CRE zone, a contractor's establishment is subject to the following:

- (A) heavy equipment and machinery such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment, and **building** and construction material may not be stored on the **lot**; and
- (B) there may be no **open storage** of loose materials such as sand, gravel or concrete.

(12) Apparel and Textile Manufacturing Use

In the CRE zone, an apparel and textile **manufacturing use** may not involve leather products or chemical dyeing of cloth.

(13) Food Manufacturing Use

In the CRE zone, a food **manufacturing use** must be fruit and vegetable preserving, speciality food manufacturing and dairy product manufacturing, only in batch processing.

(14) Wood Product Manufacturing Use

In the CRE zone, a wood product **manufacturing use** may not be a:

- (A) saw mill;
- (B) planing mill; or
- (C) wood distillation plant.

(15) Glass Product Manufacturing Use

In the CRE zone, only purchased glass may be used in a glass product **manufacturing use**.

(16) Certain Manufacturing Uses Not Located in a Building with a Dwelling Unit

In the CRE zone, a pharmaceutical, medicine, plastic, or clay **manufacturing use** may not be located in a **building** that has a **dwelling unit**.

(17) Pharmaceutical and Medicine Manufacturing Use

In the CRE zone, a pharmaceutical and medicine **manufacturing use** is subject to the following:

- (A) the use may only include assembly or manufacture of previously processed materials; and
- (B) the use may not include the processing or combining of materials that alter the structure of the material.

(18) Plastic Product Manufacturing

In the CRE zone, a plastic product **manufacturing use**:

- (A) may be for the assembly or manufacture of previously processed materials;
- (B) must not process or combine materials that alter the structure of the material; and
- (C) must not include the manufacture of celluloid or pyroxylin.

(19) Clay Product Manufacturing

In the CRE zone, a clay product **manufacturing use**:

- (A) must be for the manufacturing of pottery, ceramics and plumbing fixtures; and
- (B) may not be for the manufacturing of blocks, bricks, beams, pipes, artificial abrasives, clay pit mining or other mined materials.

(20) Tourist Home

In the CRE zone, a **tourist home**:

- (A) must be in a **townhouse**, **detached house**, or a **semi-detached house**; and
- (B) may not have **vehicle** access by a mutual **driveway**.

(21) Outdoor Patio

In the CRE zone:

- (A) an **outdoor patio** must be combined with the following uses and comply with the requirements in regulations (B) through (G) below:

**Amusement Arcade**  
**Cabaret**  
**Club**  
**Eating Establishment**  
**Entertainment Place of Assembly**  
**Nightclub**  
**Place of Assembly**  
**Recreation Use**  
**Sports Place of Assembly**  
**Take-out Eating Establishment**

- (B) the maximum area of an **outdoor patio** is the greater of:

- (i) 30.0 square metres; or
- (ii) 30% of the **interior floor area** of the **premises** it is associated with;

(C) an **outdoor patio** may not be used to provide entertainment such as performances, music and dancing.  
[ By-law: 1676-2013 ]

(D) an **outdoor patio** must be set back at least 30.0 metres from:

(I) a **lot** in the Residential Zone category or Residential Apartment Zone category. [ By-law: 1676-2013 ]

(E) despite regulation (D) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres:

(I) measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category. [ By-law: 1676-2013 ]

(F) an **outdoor patio** in the **rear yard** of a **lot** which abuts a **lot** in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**; and

(G) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (D) or (E) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**.

(22) Vehicle Dealership

In the CRE zone, a **vehicle dealership** must comply with the specific use regulations in Section 150.90.

(23) Vehicle Fuel Station

In the CRE zone, a **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(24) Vehicle Service Shop

In the CRE zone, a **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(25) Vehicle Washing Establishment

In the CRE zone, a **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.

(26) Day Nursery

In the CRE zone, a **day nursery** must comply with the specific use regulations in Section 150.45.

(27) Public School, Private School

In the CRE zone, a **public school** and a **private school** must comply with the specific use regulations in Section 150.48.

(28) Place of Assembly- Banquet Hall

In the CRE zone, a **place of assembly** that is a banquet hall with an **interior floor area** greater than 1,000 square metres must be at least 300.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category. This regulation does not to apply if the banquet hall is combined with a **hotel**.

(29) Group Home

In the CRE zone, a **group home** must comply with the specific use regulations in Section 150.15.

(31) Amusement Arcade

In the CRE zone, an **amusement arcade**:

- (A) may be in a **building** that has no residential uses permitted in Clause 50.10.20.10 or 50.10.20.20;
- (B) must have no more than 36 **amusement devices**;
- (C) must have a minimum **interior floor area** of 6.0 square metres for each **amusement device**; and
- (D) may only be accessible from the interior of the **building**.

(32) Eating Establishment

In the CRE zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

(33) Short-term Rental

A **short-term rental** in the CRE zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 ]

(34) Place of Worship

In the CRE zone, a **place of worship** must comply with the specific use regulations in Section 150.50.

(35) Seniors Community House

In the CRE zone, a **seniors community house** must comply with the specific use regulations in Section 150.30.



(36) Crisis Care Shelter

In the CRE zone, a **crisis care shelter** must comply with the specific use regulations in Section 150.20.

(37) Secondary Suite

In the CRE zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

(38) Private Home Daycare

In the CRE zone, a **private home daycare**:

- (A) may be located in a **townhouse**, **detached house**, or a **semi-detached house**; and
- (B) a children's play area for a **private home daycare**:
  - (i) must be fenced; and
  - (ii) may not be located in the **front yard** or a **side yard** abutting a **street**.

(39) Entertainment Place of Assembly, Sports Place of Assembly and Recreation Use- Amusement Device

In the CRE zone, an **entertainment place of assembly**, a **sports place of assembly** or **recreation use** may not have more than 12 **amusement devices** and these devices may not be located in a hallway, lobby or other pedestrian area if the **amusement devices** are in the same **building** as any one of these uses.

(40) Rooming House

In the CRE zone, a rooming house must comply with the specific use regulations in Section 150.25.

(41) Outdoor Sales or Displays

In the CRE zone, the outdoor sale or display of goods or commodities is subject to the following:

- (A) it must be combined with another permitted non-residential use;
- (B) goods or commodities may be displayed no closer than 15.0 metres of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (C) the cumulative area used for the outdoor sale or display of goods or commodities may be no more than 250 square metres;
- (D) the area used for the outdoor sale or display of goods or commodities may not be located in areas required by this By-law for parking, loading, **driveways** or **landscaping**; and
- (E) there may be no storage or warehousing of goods in a **vehicle**.

(42) Renewable Energy Production or Cogeneration Energy Production

In the CRE zone, **renewable energy** production or **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.

(43) Transportation Use

A **building** or **structure** on a **lot** in the CRE zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(44) Public Utility

In the CRE zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setback** and permitted maximum height for a **building** in the CRE zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

## 50.10.40 Principal Building Requirements

### 50.10.40.1 General

(1) King-Spadina Area - First Floor Elevation Requirement

If a **building** is located on a **lot** in the CRE zone bounded by Queen Street West to the north, Simcoe Street to the east, Front Street West to the south, and Bathurst Street to the west, the elevation of the first **storey** of the **building** must be:

- (A) at or within 0.6 metres above the height of the public sidewalk abutting the site; or
- (B) from the elevation of the **street** abutting the site if there is no sidewalk.

(2) Residential Use Orientation to Street

In the CRE zone, a **building** with a **dwelling unit** may not be located so that another **building** is between any **main wall** of the **building** and the **street** on which the **building** fronts.

(3) Hotel Orientation To Street

In the CRE zone, no **building** may be used as a **hotel** if another **building** is located between it and the **street** on which the **hotel** fronts.

(4) Building Orientation to a Street - Hotels and Buildings With Dwelling Units

In the CRE zone, a **building**, or an addition which is not attached above-ground to the original part of a **building**, is not permitted if:

- (A) it has **dwelling units**, rooms or suites in a **hotel**, and is in the rear of another **building** or the original part of the same **building**; or
- (B) it is in front of a **building**, or the original part of the same **building**, has **dwelling units**, rooms or suites in a **hotel**, to produce the condition of a **building** having **dwelling units**, rooms or suites, in the rear of another **building**.

## 50.10.40.10 Height

(1) Maximum Height

In the CRE zone, the permitted maximum height of a **building** or **structure** on a **lot** is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; and
- (B) if no numerical value follows the letters "HT" on the Height Overlay Map, the permitted maximum height is not limited by this regulation.

(2) Heritage Building Volume Permission Beyond Height Limit

In the CRE zone, a **building** on a **heritage site** may be permitted to exceed the permitted maximum height, subject to the following:

- (A) the **lot** must be subject to an agreement pursuant to section 37 of the Planning Act, authorizing the increase in height in exchange for the conservation of all or part of a **building** identified as a **heritage site**;
- (B) the additional height of the **building** may not be greater than 20% of the permitted maximum height of the **building**;
- (C) the part of a **building** exceeding the permitted maximum height may have a maximum total volume that does not exceed the values calculated as follows:
  - (i) if the façade of the heritage **building** facing a **street** is conserved, the **building** volume above the permitted maximum height of the **building** is 6.0 times the area (length multiplied by height) of the portion of the façade that is conserved;
  - (ii) if there is no construction above the heritage **building**, the **building** volume above the permitted maximum height of the **building** is equal to 1.5 times the volume of the retained part of the heritage **building** that is further than 3.0 metres from the façade of the heritage **building** facing a **street**;
  - (iii) if there is construction above a conserved portion of the heritage **building**, the **building** volume above the permitted maximum height of the **building** is equal to one times the volume of that conserved portion of the heritage **building** further than 3.0 metres from the façade of the heritage **building** facing a **street**; and
  - (iv) if there is an above-ground separation between the conserved heritage **building** and the adjacent **buildings** or **structures** on the same **lot**, the **building** volume above the permitted maximum height of the **building** is equal to the volume determined by multiplying the height of the conserved heritage **building** by:
    - (a) the distance between the conserved heritage **building** and the adjacent **building** or **structure** measured at right angles from the conserved heritage **building**; and
    - (b) the length of the portion of the conserved heritage **building**, if a line projected at a right angle from the heritage **building** face intercepts the adjacent **building** or **structure** on the same **lot**; and
- (D) any permitted **building** volume exceeding the permitted maximum height of the **building** is subject to the following:

- (i) it must comply with **angular plane** requirements, if the zone label refers to a CRE Site Specific Exception with the Prevailing Section 12(2) 260 of the former Zoning By-law of the City of Toronto By-law, By-law 438-86; or
  - (ii) if there are no **angular plane** requirements, the **building** may be no closer to a **lot line** than the original **building setback** for all portions of the **main walls** of the highest **storey** facing the same **lot line** and located below the permitted maximum height, plus 3.0 metres; and
  - (E) the dimensions of a conserved heritage **building** in regulations (C) (ii), (iii), and (iv) above are measured between the exterior faces of the **main walls** and between the interior surface of the ceiling of the uppermost **storey** and the surface of the first **storey** of the conserved heritage **building**; and
  - (F) equipment, **structures** and parts of a **building** referred to in regulations 50.5.40.10(3), 50.5.40.10(4), 50.5.40.10(5), and 50.5.40.10(6) are measured from the adjusted maximum height of a **building** permitted by regulations (A) to (E) above.
- (3) Height Exemption - Mechanical Elements in King-Spadina Area  
In the CRE zone, a **building** located in the area bounded by Queen Street West to the north, Simcoe Street to the east, Front Street West to the south, and Bathurst Street to the west, may exceed the permitted maximum height of the **building** by 5.0 metres if:
- (A) all stair towers, elevator shafts, and mechanical equipment are enclosed; and
  - (B) the additional 5.0 metre height does not penetrate the required **angular plane** for the **lot**.
- (4) Maximum Number of Storeys  
The permitted maximum number of **storeys** in a **building** on a **lot** in the CRE zone is:
- (A) the numerical value following the letters "ST" on the Height Overlay Map; and
  - (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation. [ By-law: 1353-2015 ]

#### 50.10.40.11 Height Exemptions

- (1) Permitted Maximum Height for Lawfully Existing Buildings  
In the CRE zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height of a **building**, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.
- (2) Additions to Lawfully Existing Buildings - Maximum Height  
Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 50.10.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

#### 50.10.40.30 Building Depth

- (1) Maximum Building Depth  
In the CRE zone, no portion of a **building** may be set back more than 50.0 metres from a **lot line** that abuts a **street**.

#### 50.10.40.31 Building Depth Exemptions

- (1) Permitted Building Depth for Lawfully Existing Buildings  
In the CRE zone, if the **lawful building depth** of a **lawfully existing building** is greater than the permitted maximum **building depth**, that **lawful building depth** is the maximum **building depth** for that **lawfully existing building**.
- (2) Additions to Lawfully Existing Buildings  
Any addition or extension to a **lawfully existing building** referred to in regulation 50.10.40.31(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

#### 50.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space Requirement for Buildings with 20 or More Dwelling Units

In the CRE zone, a **building** with 20 or more **dwelling units** must provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- (A) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**; [ By-law: 1353-2015 ]
- (B) at least 40.0 square metres is outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**; and
- (C) no more than 25% of the outdoor component may be a **green roof**.

#### 50.10.40.51 Decks, Platforms and Amenities Exemptions

(1) Required Amenity Space for Lawfully Existing Buildings with 20 or More Dwelling Units

In the CRE zone, if a **lawfully existing building** with 20 or more **dwelling units** has not provided the **amenity space** required by regulation 50.10.40.50(1), the **lawfully existing building** does not have to comply with regulation 50.10.40.50(1).

#### 50.10.40.60 Permitted Encroachments

(1) Permitted Encroachments - Decks, Porches and Balconies

In the CRE zone a platform with no **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a **building**, is subject to the following:

- (A) a platform with a floor no higher than the first **storey** of the **building** may encroach into the required minimum **building setback** the lesser of 2.5 metres or 50% of the required minimum **building setback** if it is no closer to a **lot line** than 0.3 metres; and
- (B) a platform with a floor that is higher than the first **storey** of the **building** may encroach into the required minimum **building setback** 1.5 metres.

(2) Permitted Encroachments - Canopies and Awnings

In the CRE zone a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform which complies with regulation 50.10.40.60(1), may encroach into a required minimum **building setback** for the **building**:

- (A) to the same extent as the platform it is covering; and
- (B) when it does not cover a platform, the canopy, awning or similar **structure** may encroach into a required minimum **building setback** as follows:
  - (i) in a **rear yard**, the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the required **side yard setback**;
  - (ii) in a **side yard** that does not abut a **street**, a maximum of 1.5 metres, if it is at least 0.3 metres from the **side lot lines**; and
  - (iii) in a **front yard** or **side yard** that abuts a **street**, in compliance with Regulation 50.5.40.60(1).

(3) Permitted Encroachments - Exterior Stairs, Access Ramp and Elevating Device

In the CRE zone:

- (A) exterior stairs providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the stairs are:
  - (i) no longer than 1.5 horizontal units for each 1.0 vertical unit above-ground at the point where the stairs meet the **building** or **structure**;
  - (ii) no wider than 2.0 metres; and
  - (iii) no closer to a **lot line** than 0.3 metres; and
- (B) an uncovered ramp providing pedestrian access to a **building** or **structure** may encroach into a required minimum **building setback**, if the ramp is:
  - (i) no longer than 15 horizontal units for each 1.0 vertical unit above-ground at the point where the ramp meets the **building** or **structure**;

- (ii) no wider than 1.5 metres for each sloped ramp segment; and
  - (iii) no closer to a **lot line** than 0.3 metres; and
- (C) an elevating device providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the elevating device:
  - (i) elevates no higher than the first **storey** of the **building**;
  - (ii) has a maximum area of 3.0 square metres; and
  - (iii) is no closer to a **lot line** than 0.3 metres.
- (4) Permitted Encroachments - Exterior Main Wall Surface

In the CRE zone cladding added to the original exterior surface of the **main wall** of a **building**, may encroach into a required minimum **building setback** a maximum of 0.15 metres, if the **building** is at least 5 years old.
- (5) Permitted Encroachments - Architectural Features

In the CRE zone architectural features on a **building** must comply with the following:

  - (A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on a **building** may encroach into a required minimum **building setback** a maximum of 1.0 metres, if it is no closer to a **lot line** than 0.3 metres; and
  - (B) a chimney breast, on a **building**, may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it is:
    - (i) no wider than 2.0 metres; and
    - (ii) no closer to a **lot line** than 0.3 metres.
- (6) Permitted Encroachments - Window Projections

In the CRE zone, a bay window, box window, or other window projection from a **main wall** of a **building**, which increases floor area or enclosed space and does not touch the ground, may encroach:

  - (A) into a required minimum **front yard setback** or required minimum **rear yard setback** a maximum of 0.75 metres, if the window projections in total do not occupy more than 65% of the width of the **front wall** or rear **main wall** at each **storey**; and
  - (B) into a required minimum **side yard setback** a maximum of 0.6 metres, if the window projections:
    - (i) in total do not occupy more than 30% of the width of the side **main wall** at each **storey**; and
    - (ii) are no closer to the **side lot line** than 0.6 metres.
- (7) Permitted Encroachments - Equipment

In the CRE zone, the following wall mounted equipment may encroach into a required minimum **building setback** as follows, if they are no closer to the **lot line** than 0.3 metres:

  - (A) an air conditioner a maximum of 0.9 metres into the **rear yard setback** or **side yard setback**, if it is not located above the first **storey**;
  - (B) a satellite dish, a maximum of 0.9 metres;
  - (C) an antennae or pole used to hold an antennae, a maximum of 0.9 metres into the **rear yard setback** or **side yard setback**; and
  - (D) a vent or pipe, a maximum of 0.6 metres into a **rear yard setback** or **side yard setback**.
- (8) Permitted Encroachments for Particular Building Setbacks

In the CRE zone, the permitted encroachments in regulations 50.10.40.60(1), 50.10.40.60(2), 50.10.40.60(5), and 50.10.40.60(6) may encroach into the following required minimum **building setbacks**:

  - (A) a **side yard setback** and **rear yard setback** as set out in regulation 50.10.40.70(1);
  - (B) a required minimum **building setback** from a **lot** in the Residential Zone category or Residential Apartment Zone category set out in regulation 50.10.40.70(2); and
  - (C) a separation distance between exterior **main walls** of **buildings** as set out in regulation 50.10.40.80(1).

## 50.10.40.70 Setbacks

- (1) Side Yard Setback and Rear Yard Setback

In the CRE zone, the required minimum **building setback** from a **side lot line** or **rear lot line** is 7.5 metres, excluding any part of the **building** or **structure** that is less than 25.0 metres from a **lot line** abutting a **street** or **park**.

(2) Building Setback from a Lot in the Residential Zone Category or Residential Apartment Zone Category.

In the CRE zone, any part of a **building** or **structure** with height greater than 4.0 metres, must be set back at least 3.0 metres from any **lot line** that abuts a **lot** entirely within the Residential Zone category or Residential Apartment Zone category.

(3) Building Setback from a Lane

In the CRE zone if a **lot** abuts a **lane**, the required minimum **building setback** from a **side lot line** or **rear lot line** that abuts the **lane** is 7.5 metres measured from the original centreline of the **lane**, excluding any part of the **building** or **structure** that is less than 25.0 metres from a **lot line** abutting a **street** or **park**.

(4) Heritage building - Setback of new construction above a heritage building

In the CRE zone, if a **lot** with a **building** is identified as a **heritage site**, any portion of a **building** that exceeds the height of the conserved heritage **building**, whether an addition above the conserved heritage **building** or as a separate **building** on the same **lot**, must be set back from a **lot line** that abuts a **street** a distance equal to the original **building setback** of the conserved heritage **building** from that **lot line** that abuts a **street**, plus 3.0 metres.

(5) Building Setback for Upper Building Level Facing A Street

In the CRE zone, the required minimum **building setback** from a **lot line** that abuts a **street** is:

- (A) 3.0 metres for the portion of the **building** or **structure** which exceeds a height of 20.0 metres; or
- (B) 3.0 metres for the portion of the **building** or **structure** which exceeds a height of 16.0 metres for a **lot** that fronts King Street East.

(6) Building Setbacks Below Ground

(DELETED BY OMB ORDER, JULY 12, 2017 – PL130592) [ By-law: OMB PL130592 ]

#### 50.10.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the CRE zone, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

- (A) a **rear lot line**, that **lawful building setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; or
- (B) a **side lot line**, that **lawful building setback** is the minimum **side yard setback** for that **lawfully existing building** or **structure**.

(2) Required Setbacks for Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 50.10.40.71(1) must comply with the required minimum **building setbacks** or be authorized by a Section 45 Planning Act minor variance.

#### 50.10.40.80 Separation

(1) Distance Between External Walls of Buildings

In the CRE zone, if a **building** has **main walls** facing each other or facing the **main walls** of another **building** on the same **lot** and a line projected at a right angle from one of the **main walls** intercepts the other **main wall**, the required minimum above-ground distance between them is 11.0 metres.

(2) Distance Between Windows of Buildings in King-Spadina

In the CRE zone bounded by Queen Street West to the north, Simcoe Street to the east, Front Street West to the south, and Bathurst Street to the west, if a **building** has windows facing each other, and a line projected at a right angle from one of the windows intercepts the other window, the required minimum above-ground distance between the windows is 15.0 metres.

(3) Distance Between Windows of Buildings in King-Spadina

In the CRE zone bounded by Queen Street West to the north, Simcoe Street to the east, Front Street West to the south, and Bathurst Street to the west, if a **building** has windows, the required minimum above-ground distance between the windows and another **main wall** without windows or a **lot line** that does not abut a **street** or **park** is 7.5 metres.

#### 50.10.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings

In the CRE zone, if the **lawful** separation distance between the **main walls** of **lawfully existing buildings** on the same **lot**, or between **main walls** of the same **lawfully existing building**, is less than the required minimum separation distance between **main walls**, that **lawful** separation distance is the minimum separation distance for those **main walls** of those **lawfully existing buildings**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 50.10.40.81(1) must comply with the minimum separation distance between **main walls** required by this By-law or be authorized by a Section 45 Planning Act minor variance.

#### 50.10.50 Yards

##### 50.10.50.10 Landscaping

(1) Landscaping Requirement if Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category

If a **lot** in the CRE zone abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, a minimum 1.5 metre wide strip of **soft landscaping** must be provided along the part of the **lot line** abutting the **lot** in the Residential Zone category or Residential Apartment Zone category.

(2) Fence Requirement If Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category

If a **lot** in the CRE zone abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category, a fence must be installed along the portion of a **lot line** abutting the **lot** in the Residential Zone category or Residential Apartment Zone category.

#### 50.10.80 Parking

##### 50.10.80.1 General

(1) Outdoor Parking Restriction

In the CRE zone, an outdoor parking area with more than 3 **parking spaces** must be fenced if it is located in a **side yard** or **rear yard** that abuts a **street**, **lane** or a **lot** in the Residential Zone category or Residential Apartment Zone category, excluding the portions used for **vehicle** access.

(2) CRE Zone Above Grade Parking Building or Structure Restriction

In the CRE zone, **parking spaces** in an above-ground **building** or **structure** is permitted, if:

(A) it is combined with another permitted use in the **building** or **structure**; and

(B) any portion of the **building** or **structure** facing a **street** and less than 4.0 metres above the elevation of that **lot line** abutting the **street** must have permitted uses other than the parking or storing of **vehicles**, to a minimum depth of 10.0 metres from the **main wall**, along the entire length of the **main wall**, except for **vehicle** access.

(3) CRE Zone Parking Space Allocation Mixed Use Building

In the CRE zone, if a **building** has both residential and non-residential uses and has less than 25 **dwelling units**, a minimum of one-third (1/3) of the total **parking spaces** required for all the uses in the **building** must be available to all occupants of or visitors to the **building**, without assigning any of those **parking spaces** for exclusive use.

##### 50.10.80.10 Location

(1) CRE Zone Parking Restriction

In the CRE zone, no **vehicle** may be parked or stored in the **front yard**.

##### 50.10.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

A **parking space** not located in a **building** or **structure** must be set back at least 0.5 metres from a **lot line**.

## 50.10.90 Loading

### 50.10.90.10 Location

(1) Loading Space Location

A **loading space** may not be in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) any **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

### 50.10.90.11 Location Exemptions

(1) Loading Space Location Exemption

If a **lawfully existing building** has a **lawful loading space** that does not comply with the **loading space** location requirements of regulation 50.10.90.10(1), that **lawful loading space** is exempt from the requirements of regulation 50.10.90.10(1).

### 50.10.90.40 Access to Loading Space

(1) Access to Loading Space - Restrictions

In the CRE zone:

- (A) where a **lot** abuts a **lane**, **vehicle** access to a **loading space** must be from the **lane**; and
- (B) where a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** that is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to a **loading space** must be from the **street** which is not a major **street**.

(2) Loading Restrictions Adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone Category

In the CRE zone, where a **lot** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, **vehicle** access to the **loading space** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category.

(3) Access Through a Main Wall to a Loading Space

(deleted by OMB Order, November 21, 2018 - PL 130592) [ By-law: PL130592 Nov21\_2018 ]

### 50.10.90.41 Access to Loading Space Exemptions

(1) Access Through a Main Wall to a Loading Space Exemption

If a **lawfully existing building** has a **lawful loading space** access in a **main wall** that does not comply with the **loading space** location requirements of regulation 50.10.90.40(3), that **lawful loading space** is exempt from the requirements of regulation 50.10.90.40(3).

## 50.10.100 Access to Lot

### 50.10.100.10 Location

(1) Access to Parking Areas if Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category

If a **lot** in the CRE zone abuts a **lot** in the Residential Zone category or Residential Apartment Zone category:



- (A) **vehicle** access to a **parking space** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category; and
- (B) a **parking space** must be set back at least 1.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

#### **50.10.150 Waste**

##### **50.10.150.1 General**

###### **(1) Waste and Recyclable Materials Storage**

In the CRE zone:

- (A) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
- (B) if the waste and **recyclable material** is stored in an **ancillary building**, the **ancillary building**:
  - (i) may not be located in a **side yard** that abuts a **street** or in a **front yard**; and
  - (ii) must be located at least:
    - (a) 7.5 metres from a **lot** in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and
    - (b) 1.0 metres from all other **side lot lines** and **rear lot lines**.

## Chapter 60 Employment Industrial

### 60.5 Regulations Applying to the Employment - Industrial Zone Category

#### 60.5.1 General

##### 60.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 60.5 apply to all lands, uses, **buildings** and **structures** in the Employment Industrial Zone category.

##### 60.5.1.20 Restrictions

(1) Access to Non-Residential Uses when Adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone Category- Restriction on Sole Access from a Lane or Shared Private Right-of-Way

If a **lot** in the Employment Industrial Zone category does not front on a **street** and has its only **vehicle** access from a **lane** or private right-of-way that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, the **lot** may only be used for **parking spaces**.

#### 60.5.20 Permitted Uses

##### 60.5.20.1 General

(1) Firearm Manufacturing

The making of a firearm or any part of a firearm is not a permitted **manufacturing use** in the Employment Industrial Zone category. [ By-law: 1124-2018 ]

(2) Firearms Manufacturing Interpretation

A gunsmith or **custom workshop** that makes a firearm is a **manufacturing use** and must comply with regulation 60.5.20.1(1).

(3) Firearm Manufacturing for the Entertainment Industry

Despite regulations 60.5.20.1(1) and (2), the making of a firearm or any part of a firearm for use in a motion picture or television show is not a **manufacturing use**.

##### 60.5.30 Lot Requirements

##### 60.5.30.1 General

(1) Employment Industrial Lands Abutting Highway 400 and Highway 404

If a **lot** in the Employment Industrial Zone category abuts Highway 400 or Highway 404:

- (A) the **lot line** and the yard that abut either of these highways is the **front lot line** and **front yard**;
- (B) **loading spaces** and **parking spaces** are permitted in a **side yard** or **rear yard** that abuts a **street**;
- (C) **open storage** may be located in a yard that abuts a **street** if it complies with the use conditions for **open storage** found in each zone of the Employment Industrial Zone category.

##### 60.5.40 Principal Building Requirements

##### 60.5.40.1 General

(1) Building Requirements

Additional **building** requirements are in each zone in the Employment Industrial Zone category.

(2) Access Restrictions if Lot is Separated from Residential Lots by a Lane or a Narrow Street

In the Employment Industrial Zone category, if a **lot** has a **rear lot line** or **side lot line** that is separated from a **lot** in the Residential Zone category or Residential Apartment Zone category by a **lane** or a **street** with a right of way width less than 12.0 metres, pedestrian access to any entrance to a **building** on that **lot** may not be from that **lane** or **street** unless it is:

- (A) a service entrance, or
- (B) an entrance or exit required by Federal or Provincial statutes or regulations.

#### 60.5.40.10 Height

(1) Determining the Height of Buildings in the Employment Industrial Zone Category

In the Employment Industrial Zone category, the height of a **building** is the distance between the average elevation of the ground along the **front lot line** and the highest point of the **building**.

(2) Determining the Height of Structures in Employment Industrial Zones

In the Employment Industrial Zone category, the height of a **structure** that is not a **building** is the distance between **average grade** and the elevation of the highest point of that **structure**.

(3) Height of Structures - Chimney Stacks, Scrubbers and Pollution Abatement Equipment

In the Employment Industrial Zone category:

- (A) the following **structures** may exceed the permitted maximum height for a **building**:
  - (i) free-standing or roof-top chimney stacks;
  - (ii) scrubbers; or
  - (iii) other pollution abatement equipment; and
- (B) the following **structures** on the roof of a **building**, may exceed the permitted maximum height for that **building** by 5.0 metres:
  - (i) antennae;
  - (ii) flagpoles; or
  - (iii) satellite dishes.

(4) Height of Elements for Functional Operation of a Building

In the Employment Industrial Zone category, the following equipment, **structures** and parts of a **building** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres, subject to regulation 60.5.40.10(5):

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover equipment, **structures** and parts of the **building** listed in regulations (A) and (B) above.

(5) Height - Horizontal Limits on Elements for Functional Operation of a Building

In the Employment Industrial Zone category, equipment, **structures** or parts of a **building** exceeding the permitted maximum height for a **building** in regulation 60.5.40.10(4), must comply with the following:

- (A) the total area of all equipment, **structures** and parts of a **building** together may cover no more than 30% of the area of the roof, measured horizontally; and
- (B) for equipment, **structures** and parts of a **building** located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(6) Height of Rooftop Amenity Space Safety and Wind Protection

In the Employment Industrial Zone category, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

#### 60.5.40.40 Floor Area

(1) Gross Floor Area Calculations for a Non-residential Building in a Employment Industrial Zone Category

In the Employment Industrial Zone category the **gross floor area** of a **non-residential building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) voids at the level of each floor with a **manufacturing use**;
- (E) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (F) elevator shafts, ventilation duct, utility shafts;
- (G) utility areas, catwalks, service platforms and a mechanical penthouse; and
- (H) exit stairwells and escalators in the **building**.

(2) Floor Space Index Calculation in the Employment Industrial Zone Category

In the Employment Industrial Zone category the floor space index for a **non-residential building** is the result of the **gross floor area** minus the areas listed in regulation 60.5.40.40(1) divided by the area of the **lot**.

#### 60.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the Employment Industrial Zone category, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index greater than the permitted maximum floor space index, that **lawful** floor space index resulting from those **lawfully existing buildings** on that **lot** is the maximum floor space index for those **lawfully existing buildings** on that **lot**.

#### 60.5.40.60 Permitted Encroachments

(1) Canopies and Awnings

In the Employment Industrial Zone category, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** that abuts a **street**, if no part of the canopy, awning or similar **structure** is more than 5.0 metres above the elevation of the ground directly below it.

#### 60.5.40.70 Setbacks

(1) Building or Structure to be Set Back from a Lane

A **building** or **structure** in the Employment Industrial Zone category may be:

- (A) no closer than 3.0 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is not in the Residential Zone category, Residential Apartment Zone Category or Open Space Zone category; and
- (B) no closer than 3.5 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is in the Residential Zone category, Residential Apartment Zone Category or Open Space Zone category.

#### 60.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Building from a Lane

In the Employment Industrial Zone category, if the **lawful** distance of a **lawfully existing building** or **structure** from the original centreline of a **lane** is less than the required minimum distance from the original centreline of the **lane**, that **lawful** distance is the minimum distance from the original centreline of the **lane** for that **lawfully existing building** or **structure**.

(2) Additions Above Lawfully Existing Buildings in Relation to a Lane

The required minimum distance from the original centreline of a **lane** for any addition or extension above a **lawfully existing building** or **structure** referred to in regulation 60.5.40.71(1) is the minimum distance from the original centreline of the **lane** permitted by regulation 60.5.40.71(1).

## 60.5.50 Yards

### 60.5.50.10 Landscaping

(1) Fence Requirement When Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category

If a **lot** in the Employment Industrial Zone category abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category, a fence must be installed along the part of the **lot line** that abuts the **lot** in the Residential Zone category or the Residential Apartment Zone category.

(2) Landscaping Requirement when Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category

If a **lot** in the Employment Industrial Zone category abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, a minimum 7.5 metre wide strip of **landscaping** must be provided along the part of the **lot line** that abuts the **lot** in the Residential Zone category or Residential Apartment Zone category.

## 60.5.75 Energy Regulations

### 60.5.75.1 General

(1) Renewable Energy Device - Location Restriction

In the Employment Industrial Zone category, a device producing **renewable energy** may not be in a **front yard** or **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height Requirements

In the Employment Industrial Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

(A) on a **building**:

- (i) must comply with the required minimum **building setbacks** for a **building** on the **lot**; and
- (ii) no part of the device may be higher than 3.0 metres above the permitted maximum height for the **building**; and

(B) ground mounted, must comply with the requirements for a **building** or **structure** on the **lot**.

(3) Wind Energy Device - Setbacks

In the Employment Industrial Zone category, a **wind energy** device must comply with the required minimum **building setbacks** for a **building** on the **lot**.

(4) Wind Energy Device - Height

In the Employment Industrial Zone category, no part of a **wind energy** device may exceed the permitted maximum height for a **building** by:

(A) 3.0 metres if:

- (i) it is on a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; or
- (ii) the **building** is less than 15.0 metres in height; and

(B) 20.0 metres in all other cases.

(5) Geo-energy Device Requirements

In the Employment Industrial Zone category, any above-ground part of a **geo-energy** device must comply with the requirements for a **building** or **structure** on a **lot**.

(6) Cogeneration Device

In the Employment Industrial Zone category, a **cogeneration energy** device may be outside a **building** on the same **lot** if it:

- (A) is not in a **street yard**; and
- (B) complies with the required minimum **building setbacks** for a **building**.

## 60.5.80 Parking

### 60.5.80.1 General

(1) Calculation of Parking Space Rates for Manufacturing Uses

For the purpose of calculating the number of required **parking spaces** for a **manufacturing use** on a **lot** in the Employment Industrial Zone category, the **gross floor area** of a **building** used for a **manufacturing use**, is reduced by the floor area in the **building** used for the following:

- (A) parking, loading and bicycle parking;
- (B) **vehicle** access to a **parking space** or a **loading space**;
- (C) storage rooms or washrooms located in the **basement**;
- (D) voids at the level of each floor with a **manufacturing use**;
- (E) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (F) elevator shafts, ventilation duct, utility shafts;
- (G) utility areas, catwalks, service platforms and a mechanical penthouse; and
- (H) exit stairwells and escalators in the **building**.

(2) Required Parking Space

In the Employment Industrial Zone category, a **parking space** required by this By-law must be available for the use for which it is required.

### 60.5.80.10 Location

(1) Parking in Street Yard

In the Employment Industrial Zone category a **parking space** in a **street yard** is subject to the following:

- (A) the **parking space** must be at least 3.0 metres from the **front lot line** and **side lot lines**; and
- (B) the **parking space** must be at a right angle to the **driveway** that provides **vehicle** access from the **street** to a parking area. [ By-law: 89-2022 ]

(2) Location of Parking Spaces

In the Employment Industrial Zone category a **parking space** may be:

- (A) in a **front yard** or a **side yard** that abuts a **street**, if there are no more than 5 **parking spaces** for the first 15.0 metres of **main wall** and thereafter 2 **parking spaces** for each additional 15.0 metres of **main wall** that abuts the yard containing the **parking spaces**;
- (B) in a **side yard** that does not abut a **street**; and
- (C) in a **rear yard**.

(3) Location of Required Parking Spaces

A **parking space** must be on the same **lot** as the use for which the **parking space** is required.

### 60.5.80.11 Location Exemptions

(1) Parking Location Off-site Parking Exemption

If required **parking spaces** for a **lawfully existing building** are **lawfully** located on a **lot** that is not the same **lot** as the use for which the **parking spaces** are required, those **lawful parking spaces** may continue to be provided on another **lot** for that **lawfully existing building**.

(2) Parking Location - Front Yard and Side Yard Parking Exemption

If a **lawfully existing building** has **lawful parking spaces** in the **front yard** or **side yard**, regulation 60.5.80.10(1) and (2) does not apply to those **lawful parking spaces**.

## 60.5.80.20 Setbacks

(3) Building Setback from a Lot in the Residential Zone category or Residential Apartment Zone category

In the Employment Industrial Zone category a **parking space** and **drive aisle** must be at least 7.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

## 60.5.90 Loading

### 60.5.90.1 General

(1) Calculation of Loading Space Rates for Manufacturing Uses

For the purpose of calculating the number of required **loading spaces** for a **manufacturing use** on a **lot** in the Employment Industrial Zone category, the **gross floor area** of a **building** used for a **manufacturing use** is reduced by the area in the **building** used for the following:

- (A) parking, bicycle parking and a loading;
- (B) **vehicle** access to a **parking space** or **loading space**;
- (C) storage rooms or washrooms located in the **basement**;
- (D) voids at the level of each floor with a **manufacturing use**;
- (E) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (F) elevator shafts, ventilation duct, utility shafts;
- (G) utility areas, catwalks, service platforms and a mechanical penthouse; and
- (H) exit stairwells and escalators in the **building**.

## 60.5.100 Access to Lot

### 60.5.100.1 General

(1) Driveway Widths

In the Employment Industrial Zone category a **driveway** may have:

- (A) a minimum width of 6.0 metres; and
- (B) a maximum width of 11.0 metres for a minimum depth of 3.0 metres measured from the **lot line** abutting the **street**.

### 60.5.100.10 Location

(1) Driveway Access Through Landscaping

In the Employment Industrial Zone category a **driveway** may cross a required **landscaping** area.

(2) Access Location if Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category

If a **lot** in the Employment Industrial Zone category abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, **vehicle** access to the **lot** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category.

(3) Access to Loading Restrictions Adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone Category

If a **lot** in the Employment Industrial Zone category abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, **vehicle** access to the **loading space** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category.



## 60.10 Employment Light Industrial Zone (EL)

### 60.10.1 General

#### 60.10.1.10 Interpretation

(1) Application of This Section

The regulations in Section 60.10 apply to all lands, uses, **buildings** and **structures** in the EL zone.

(2) Interpretation of the Employment Light Industrial Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Employment Light Industrial Zones consists of the letters EL indicating the primary land use permitted in the respective zone.

(3) Interpretation of the EL Zone Label

In the EL zone, the numerical value following the zone symbol in the zone label indicates the permitted maximum floor space index of all land uses on a **lot**.

#### 60.10.20 Permitted Uses

##### 60.10.20.1 General

(1) Lawfully Existing Place of Worship

In the EL zone, a **lawfully existing place of worship** is permitted if it is on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Area Overlay Map; and

(A) any expansion or addition to the **place of worship building** complies with Section 150.50 and the requirements for the EL zone; and

(B) it may be replaced with a new **place of worship building** that complies with Section 150.50 and the requirements for the EL zone.

(2) Sorting Activities in an Enclosed Building

In the EL zone, the separating or sorting of **recyclable materials** must take place within a wholly enclosed **building**.

##### 60.10.20.10 Permitted Use

(1) Use - EL Zone

In the EL zone, the following uses are permitted:

Ambulance Depot

**Artist Studio**

**Automated Banking Machine**

Bindery

Carpenter's Shop

Cold Storage

**Custom Workshop**

Dry Cleaning or Laundry Plant

**Financial Institution**

Fire Hall

**Industrial Sales and Service Use**

**Laboratory**

Office

**Park**

**Performing Arts Studio**

Police Station

**Production Studio**

**Self-storage Warehouse**

**Service Shop**

**Warehouse  
Wholesaling Use**

**60.10.20.20 Permitted Use - with Conditions**

(1) Use with Conditions - EL Zone

In the EL zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.10.20.100:

Apparel and Textile **Manufacturing Use** (9)  
Beverage **Manufacturing Use** (9)  
**Cogeneration Energy** (17)  
**Contractor's Establishment** (7)  
**Crematorium** (21)  
**Eating Establishment** (6, 14)  
**Education Use** (4)  
Food **Manufacturing Use** (9, 10)  
Furniture **Manufacturing Use** (9)  
Metal Products **Manufacturing Use** (9)  
**Open Storage** (12)  
**Outdoor Patio** (11)  
Plastic Product **Manufacturing Use** (9)  
Printing Establishment (8)  
**Public Utility** (16, 18)  
**Recreation Use** (1, 3)  
**Renewable Energy** (17)  
**Retail Store** (5)  
**Software Development and Processing** (2)  
**Take-out Eating Establishment** (6)  
**Transportation Use** (19) [ By-law: 1198-2019 ]

**60.10.20.100 Conditions**

(1) Recreation Use

In the EL zone, a golf driving range is a permitted **recreation use** if:

- (A) the **lot** is at least 70.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category; and
- (B) there is a fence between the golf driving range and all **lot lines**.

(2) Software Development and Processing

In the EL zone, the **interior floor area** of a **software development and processing** use may not exceed 5,000 square metres.

(3) Recreation Use

In the EL zone, a **recreation use** must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map.

(4) Education Use

In the EL zone, **education use** is subject to the following:

- (A) the use may only be for:
  - (i) technical and trade skills development for the operation and use of manufacturing equipment and machinery; or
  - (ii) driver education for commercial or construction **vehicles** such as trucks, tractor trailers and fork lifts; and
- (B) the total interior floor space used for an **education use** may not exceed the lesser of:
  - (i) a floor space index of 0.5; or
  - (ii) the permitted maximum floor space index in the zone label on the Zoning By-law Map.

(5) Retail Store – together with Manufacturing Use

In the EL zone, a **retail store**:

- (A) must be associated with a permitted **manufacturing use** on the same **lot**; and
- (B) the total **interior floor area** of all **retail stores** on a **lot** may not exceed 20 percent of the **gross floor area** of the permitted **manufacturing use**. [ By-law: 1198-2019 ]

(6) Eating Establishment and Take-out Eating Establishment

In the EL zone, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on a **lot** may not exceed 500.0 square metres. [ By-law: 1198-2019 ]

(7) Contractor's Establishment

In the EL zone, a **contractor's establishment** may not store heavy equipment such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment on the **lot**.

(8) Printing Establishment - Interior Floor Area

In the EL zone, the **interior floor area** of a printing establishment use may not exceed 5,000 square metres.

(9) Manufacturing Use - Interior Floor Area

In the EL zone, the **interior floor area** of a **manufacturing use** listed in Clause 60.10.20.20 may not exceed 5,000 square metres.

(10) Food Manufacturing Use

In the EL zone, food **manufacturing use** must be the processing, packaging or baking of foods that are not meats, fish, dairy products, or brewing or pickling of foods.

(11) Outdoor Patio

In the EL zone, an **outdoor patio**:

- (A) is permitted in association with an **eating establishment** or **take-out eating establishment** on the same **lot**;
- (B) must be no closer to a **lot line** than the required minimum **building setback** for a **building**;
- (C) may not occupy more than 20 percent of the **front yard**;
- (D) may not be located on land required for **parking spaces, loading spaces, driveways** or **landscaping**;
- (E) may have a maximum area that is the greater of:
  - (i) 30.0 square metres; or
  - (ii) 30 percent of the **interior floor area** of the **premises** it is associated with;
- (F) may not be used to provide entertainment such as performances, music and dancing;
- (G) must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (H) despite regulation (G) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (I) in the **rear yard** of a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**;
- (J) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (G) or (H) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**; and
- (K) is not permitted on a **lot** located in the area bounded by Laird Avenue on the west, Vanderhoof Avenue and the Don River to the north, Don Mills Road to the east and Overlea Boulevard to the south. [ By-law: 1198-2019 ]

(12) Open Storage

In the EL zone:

(A) **open storage**:

- (i) must be associated with a permitted use;
- (ii) may not be in a yard that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category; [ By-law: 1774-2019 ]
- (iii) may not be in the **front yard**; [ By-law: 1774-2019 ]
- (iv) may be no closer than 7.5 metres to any **lot line**;

- (v) may be no more than 10% of the **lot area**;
- (vi) may be no higher than the permitted maximum height of a **building** on the **lot**; and
- (vii) must be enclosed by a fence; and

(B) **open storage** may be for **recyclable material** and waste.

(13) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(14) Eating Establishment

In the EL zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

(15) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(16) Public Utility

In the EL zone, a **public utility**, must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building**, if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(17) Renewable Energy Production or Cogeneration Energy Production

In the EL zone, **renewable energy** production or **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.

(18) Public Utility

In the EL zone, a **public utility** may not be a sewage treatment plant.

(19) Transportation Use

A **building** or **structure** on a **lot** in the EL zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(20) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(21) Crematorium

In the EL zone, a **crematorium** must be a minimum of 300 metres from a **lot** that is not in an EL, E, EH or UT zone.

## 60.10.30 Lot Requirements

### 60.10.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in a EL zone

In the EL zone, the required minimum **lot frontage** is 15.0 metres.

### 60.10.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the EL zone, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage**, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 60.10.30.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

## 60.10.40 Principal Building Requirements

### 60.10.40.10 Height

(1) Maximum Height - EL Zone

In the EL zone, if a **lot** is in an area that:

- (A) has a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is the numerical value following the letters "HT", in metres; or
- (B) has no numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is 18.5 metres.

(2) Height of Buildings and Structures - Green Roof

In the EL zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

#### 60.10.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the EL zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height for a **building** or **structure**, that **lawful** height of the **lawfully existing building** or **structure** is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings -- Height

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 60.10.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

#### 60.10.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in the EL Zone

In the EL zone, the required minimum **front yard setback** is 6.0 metres.

(2) Minimum Side Yard Setback for Lots in the EL Zone

In the EL zone, the required minimum **building setback** from a **side lot line**:

(A) that does not abut a **street**, is:

- (i) 3.0 metres if the **lot frontage** is less than 30.0 metres;
- (ii) 4.5 metres if the **lot frontage** is from 30.0 metres to less than 60.0 metres; and
- (iii) 6.0 metres in all other cases; and

(B) that abuts a **street**, is 6.0 metres.

(3) Minimum Rear Yard Setback for Lots in the EL Zone

In the EL zone, the required minimum **rear yard setback** is 7.5 metres.

(4) Minimum Setback for Lots in the EL Zone if abutting the Residential Zone Category or Residential Apartment Zone Category

In the EL zone:

- (A) the required minimum **building setback** from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category is 15.0 metres; and
- (B) a **structure** that is not a **building** may be no closer than 15.0 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

#### 60.10.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the EL zone, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

- (A) a **front lot line**, that **lawful front yard setback** is the minimum **front yard setback** permitted for that **lawfully existing building** or **structure**;
- (B) a **rear lot line**, that **lawful rear yard setback** is the minimum **rear yard setback** permitted for that **lawfully existing building** or **structure**; or
- (C) a **side lot line**, that **lawful side yard setback** is the minimum **side yard setback** permitted for that **lawfully existing building** or **structure**.

(2) Required Setbacks for Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 60.10.40.71(1) may be set back from the **front lot line**, **rear lot line** or **side lot lines** to the same extent as the **main walls** of the **lawfully existing building structure** or be authorized by a Section 45 Planning Act minor variance.

## 60.10.50 Yards

### 60.10.50.10 Landscaping

(1) Soft Landscaping - Street Lot Line Requirement

In the EL zone, any **lot line** abutting a **street** must have a minimum 3.0 metre wide strip of **soft landscaping** along the entire length of the **lot line**, excluding lands used for **driveways** and walkways.

## 60.10.60 Ancillary Buildings and Structures

### 60.10.60.1 General

(1) Ancillary Building and Structure - Compliance

In the EL zone, **ancillary buildings** and **structures** must comply with the requirements for a **building** or **structure**.

### 60.10.60.10 Location

(1) Location of Buildings or Structures Used for the Purpose of a Gatehouse, Scale, Weigh-house, Fire Pump House or Other Security Purpose in the EL Zone

In the EL zone, a **building** or **structure** used as a gatehouse, scale, weigh-house, fire pump house or other security purpose is:

- (A) permitted in the **front yard**; and
- (B) not subject to required minimum **front yard**, **side yard** and **rear yard building setbacks**.

## 60.10.80 Parking

### 60.10.80.1 General

(1) Applicable Parking Rate - Retail Store, Eating Establishment, and Take-out Eating Establishment

In the EL zone, the **parking space** requirement for a **retail store**, **eating establishment**, and **take-out eating establishment**, that is combined with a **manufacturing use**, is calculated at the same rate as the permitted **manufacturing use** located on the **lot**.

### 60.10.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

A **parking space** not located in a **building** must be at least 0.5 metres from a **lot line**.

## 60.10.90 Loading

### 60.10.90.10 Location

(1) Loading Space Location

A **loading space** may not be in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) a **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

#### 60.10.90.11 Location Exemptions

(1) Loading Space Location Exemption

If a **lawfully existing building** has a **lawful loading space** that does not comply with the **loading space** location requirements in regulation 60.10.90.10(1), that **lawful loading space** is exempt from the requirements in regulation 60.10.90.10(1).

#### 60.10.90.40 Access to Loading Space

(1) Access to Loading Space on a Lot in the EL Zone

In the EL zone:

- (A) if a **lot** abuts a **lane**, **vehicle** access to a **loading space** must be from the **lane**;
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to a **loading space** must be from the **street** which is not a major **street**; and
- (C) if a **lot** is not a **lot** described in (A) or (B), **vehicle** access to a **loading space** may be from the **street** on which the **lot** fronts.

(2) Access Through a Main Wall to a Loading Space

A **loading space** located in a **building** may not have its **vehicle** access through a **main wall** that faces a **street**.

#### 60.10.90.41 Access to Loading Space Exemptions

(1) Existing Access to Loading Space Exemption for Buildings on Lots in the EL Zone

In the EL zone, if a **lawfully existing building** has a **lawful** access to a **loading space** that does not comply with regulation 60.10.90.40(1) or Article 220.5.20, that **lawful** access is permitted.

(2) Access Through a Main Wall to a Loading Space Exemption

If a **lawfully existing building** has a **lawful** entrance to a **loading space** in a **main wall** that faces a **street**, that **lawful** entrance to the **loading space** is exempt from regulation 60.10.90.40(2).

## 60.20 Employment Industrial Zone (E)

### 60.20.1 General

#### 60.20.1.10 Interpretation

(1) Application of This Section

The regulations in Section 60.20 apply to all lands, uses, **buildings** and **structures** in the E zone.

(2) Interpretation of the Employment Industrial Zone Symbol

The zone symbol on the Zoning By-law Map for Employment Industrial Zones consists of the letter E indicating the primary land use permitted in the respective zone.

(3) Interpretation of the E Zone Label

In the E zone, the numerical value following the zone symbol in the zone label indicates the permitted maximum floor space index of all land uses on a **lot**.

### 60.20.20 Permitted Uses

#### 60.20.20.1 General

(1) Lawfully Existing Place of Worship

In the E zone, a **lawfully existing place of worship** is permitted if it is on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Area Overlay Map; and

(A) any expansion or addition to the **place of worship building** must comply with Section 150.50 and the requirements for the E zone; and

(B) it may be replaced with a new **place of worship building** if it complies with Section 150.50 and the requirements for the E zone.

(2) Sorting Activities in an Enclosed Building

In the E zone, the separating or sorting of **recyclable materials** must take place within a wholly enclosed **building**.

#### 60.20.20.10 Permitted Use

(1) Use - E Zone

In the E zone, the following uses are permitted:

Ambulance Depot

**Animal Shelter**

**Artist Studio**

**Automated Banking Machine**

Bindery

Building Supply Yards

Carpenter's Shop

Cold Storage

**Contractor's Establishment**

**Custom Workshop**

Dry Cleaning or Laundry Plant

**Financial Institution**

Fire Hall

**Industrial Sales and Service Use**

**Kennel**

**Laboratory**

All **Manufacturing Uses** except:

1) Abattoir, Slaughterhouse or Rendering of Animals Factory;

2) Ammunition, Firearms or Fireworks Factory;



- 3) Asphalt Plant;
- 4) Cement Plant, or Concrete Batching Plant;
- 5) Crude Petroleum Oil or Coal Refinery;
- 6) Explosives Factory;
- 7) **Industrial Gas Manufacturing;**
- 8) Large Scale Smelting or Foundry Operations for the Primary Processing of Metals;
- 9) **Pesticide or Fertilizer Manufacturing;**
- 10) **Petrochemical Manufacturing;**
- 11) Primary Processing of Gypsum;
- 12) Primary Processing of Limestone;
- 13) Primary Processing of Oil-based Paints, Oil-based Coatings or Adhesives;
- 14) Pulp Mill, using pulpwood or other vegetable fibres;
- 15) **Resin, Natural or Synthetic Rubber Manufacturing;**
- 16) Tannery
- Office
- Park**
- Performing Arts Studio**
- Pet Services**
- Police Station
- Printing Establishment
- Production Studio**
- Public Works Yard**
- Service Shop**
- Software Development and Processing**
- Warehouse**
- Wholesaling Use** [ By-law: OMB PL130592 ]

#### 60.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - E Zone

In the E zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.20.20.100:

- Body Rub Service** (32)
  - Cogeneration Energy** (26)
  - Crematorium** (33)
  - Drive Through Facility** (5,21)
  - Eating Establishment** (1,19,30)
  - Marihuana production facility** (2)
  - Metal Factory involving Forging and Stamping (25)
  - Open Storage** (10)
  - Outdoor Patio** (9)
  - Public Utility** (27,29)
  - Recovery Facility** (8)
  - Recreation Use** (7)
  - Renewable Energy** (26)
  - Retail Service** (3)
  - Retail Store** (4,30)
  - Shipping Terminal** (11)
  - Take-out Eating Establishment** (1,30)
  - Transportation Use** (28)
  - Vehicle Depot** (6)
  - Vehicle Fuel Station** (16,30)
  - Vehicle Repair Shop** (23)
  - Vehicle Service Shop** (17,31)
  - Vehicle Washing Establishment** (18)
- [By-law: 0403-2014] [By-law: 1124-2018] [ By-law: 1198-2019 ]

#### 60.20.20.100 Conditions

(1) Eating Establishment and Take-out Eating Establishment

In the E zone, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on a **lot** may not exceed 500.0 square metres. [ By-law: 1198-2019 ]

(2) Marihuana Production Facility

In the E zone, a **marihuana production facility** must comply with the specific use regulations in Section 150.60.  
[ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

(3) Retail Service

In the E zone, the total **interior floor area** of **retail services** on a **lot** may not exceed the greater of:

(A) 300.0 square metres; or

(B) 10 percent of the **gross floor area** of the **buildings** on the **lot** to a maximum of 500.0 square metres. [ By-law: 1198-2019 ]

(4) Retail Store - together with Manufacturing Use

In the E zone, a **retail store**:

(A) must be associated with a permitted **manufacturing use** on the same **lot**; and

(B) the total **interior floor area** of all **retail stores** on a **lot** may not exceed 20 percent of the **gross floor area** of the permitted **manufacturing use**. [ By-law: 1198-2019 ]

(5) Drive Through Facility

In the E zone, a **drive through facility** must be on a **lot** that fronts on a major **street** on the Policy Areas Overlay Map.

(6) Vehicle Depot

In the E zone, a **vehicle depot** must be on a **lot** that is at least 70 metres from a **lot** in the Residential Zone category or the Residential Apartment Zone category.

(7) Recreation Use

In the E zone, a **recreation use** must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map.

(8) Recovery Facility

In the E zone, a **recovery facility**:

(A) may not be:

(i) an asphalt **recovery facility**;

(ii) a concrete **recovery facility**;

(iii) a heavy metal **recovery facility** (arsenic, lead, mercury and cadmium);

(iv) a hazardous chemical **recovery facility**;

(v) a petrochemical **recovery facility**;

(vi) an industrial gas **recovery facility**;

(vii) a rubber **recovery facility**; and

(viii) an asbestos **recovery facility**;

(B) must be located at least 70.0 metres from a **lot** in the Residential Zone category or the Residential Apartment Zone category; and

(C) the separating or sorting of materials must be within a wholly enclosed **building**.

(9) Outdoor Patio

In the E zone, an **outdoor patio**:

(A) is permitted in association with an **eating establishment** or **take-out eating establishment** on the same **lot**;

(B) must be no closer to a **lot line** than the required minimum **building setback** for a **building**;

(C) may not occupy more than 20 percent of the **front yard**;

(D) may not be located on land required for **parking spaces, loading spaces, driveways** or **landscaping**;

(E) may have a maximum area that is the greater of:

(i) 30.0 square metres; or

(ii) 30 percent of the **interior floor area** of the **premises** it is associated with;

(F) may not be used to provide entertainment such as performances, music and dancing;

- (G) must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (H) despite regulation (G) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (I) in the **rear yard** of a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**;
- (J) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (G) or (H) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**; and
- (K) is not permitted on a **lot** located in the area bounded by Laird Avenue on the west, Vanderhoof Avenue and the Don River to the north, Don Mills Road to the east and Overlea Boulevard to the south. [ By-law: 1198-2019 ]

(10) **Open Storage**

In the E zone:

(A) **open storage:**

- (i) must be associated with a permitted use other than a **recovery facility**;
- (ii) may not be located in a yard that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category;
- (iii) may not be in the **front yard**;
- (iv) must be a minimum of 7.5 metres from any **lot line**;
- (v) must be less than 30% of the **lot area**;
- (vi) may be no higher than the permitted maximum height of a **building on the lot**; and
- (vii) must be enclosed by a fence; and

(B) **open storage may be for recyclable material and waste.**

(11) Shipping Terminal

In the E zone, a **shipping terminal** must be on a **lot** that is at least 70.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category.

(12) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(13) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(14) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(15) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(16) Vehicle Fuel Station

In the E zone, a **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(17) Vehicle Service Shop

In the E zone, a **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(18) Vehicle Washing Establishment

In the E zone, a **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.

(19) Eating Establishment

In the E zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

(20) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(21) Drive Through Facility

In the E zone, a **drive through facility** must comply with the specific use regulations in Section 150.80.

(22) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(23) Vehicle Repair Shop

In the E zone, a **vehicle repair shop** must be on a **lot** that is at least 100.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category.

(24) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(25) Metal Factory involving Forging and Stamping

In the E zone, a metal factory that involves forging or stamping of metal must be on a **lot** that is at least 70.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category.

(26) Renewable Energy Production or Cogeneration Energy Production

In the E zone, **renewable energy** production or **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.

(27) Public Utility

In the E zone, a **public utility** may not be a sewage treatment plant.

(28) Transportation Use

A **building** or **structure** on a **lot** in the E zone and used as a **transportation use** must comply with all regulations for a **building** on that **lot**.

(29) Public Utility

In the E zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building**, if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(30) Retail Store and Eating Establishment together with Vehicle Fuel Station

In the E zone:

(A) a **retail store** on a lot with a **vehicle fuel station** is subject to the following:

- (i) the **retail store** must be a convenience store;
- (ii) the **interior floor area** of the **vehicle fuel station**, **retail store**, **eating establishment** or **take-out eating establishment** may not exceed 300 square metres; and
- (iii) the convenience **retail store** may remain on the **lot** as long as the **vehicle fuel station** use exists; and

(B) For the purposes of regulation (A) above, a convenience store is **premises** where products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines are sold.

(31) Vehicle Service Shop - Open Storage

In the E zone, a **vehicle service shop** may have **open storage** if it is:

- (A) less than 20% of the area of the **lot** that is not covered by wholly enclosed **buildings**; and
- (B) enclosed by a fence.

(32) Body Rub Service - Separation Distance

In the E zone, a **lot** that has a **body rub service** must be:

- (A) at least 100.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category; and
- (B) at least 500 metres from a **lot** with a **public school**, **private school**, or **place of worship**, or a **lot** in a IS zone or IPW zone; and
- (C) at least 500 metres from a **lot** that has an **adult entertainment** use or 100 metres from a **lot** that has a **body rub service**.

(33) Crematorium

In the E zone, a **crematorium** must be a minimum of 300 metres from a **lot** that is not in the EL, E, EH or UT zone.

## 60.20.30 Lot Requirements

### 60.20.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in the E zone

In the E zone, the required minimum **lot frontage** is 20.0 metres.

### 60.20.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the E zone, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage**, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 60.20.30.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance. [ By-law: 1774-2019 ]

## 60.20.40 Principal Building Requirements

### 60.20.40.10 Height

(1) Maximum Height - E Zone

In the E zone, if a **lot** is in an area that:

(A) has a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of any **building** or **structure** on the **lot** is the numerical value following the letters "HT", in metres; or

(B) has no numerical value following the letters "HT" on the Height Overlay Map:

(i) the permitted maximum height of an office **building**, or portion of a **building** used as office is 20.0 metres; and

(ii) no maximum height requirement applies to a **building** that has permitted uses other than an office use.

(2) Height of Buildings and Structures - Green Roof

In the E zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

### 60.20.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the E zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings -- Height

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 60.20.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

### 60.20.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in the E Zone

In the E zone, the required minimum **front yard setback** is 3.0 metres.

(2) Minimum Side Yard Setback for Lots in the E Zone

In the E zone, the required minimum **side yard setback** is 3.0 metres.

(3) Minimum Rear Yard Setback for Lots in the E Zone

In the E zone, the required minimum **rear yard setback** is 7.5 metres.

(4) Minimum Building Setback for Lots in the E Zone abutting the Residential Zone Category or Residential Apartment Zone Category

In the E zone:

(A) the required minimum **building setback** from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category is 15.0 metres; and

(B) a **structure** that is not a **building** may be no closer than 15.0 metres from a **lot line** that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category.

(5) Building Setback Exemptions for Loading at Railway Tracks in an E zone

Despite regulations 60.20.40.70(2) and (3), in the E zone, a **building** or **structure** used for loading or unloading of railway cars has no required minimum **building setback** from a **side lot line** or **rear lot line** that abuts the railway right-of-way. [ By-law: 1124-2018 ]

## 60.20.40.71 Setbacks Exemptions

### (1) Permitted Setbacks for Lawfully Existing Buildings

In the E zone, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

- (A) a **front lot line**, that **lawful building setback** is the minimum **front yard setback** for that **lawfully existing building** or **structure**;
- (B) a **rear lot line**, that **lawful building setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; or
- (C) a **side lot line**, that **lawful building setback** is the minimum **side yard setback** for that **lawfully existing building** or **structure**.

### (2) Required Setbacks for Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 60.20.40.71(1) may be set back from the **front lot line**, **rear lot line** or **side lot lines** to the same extent as the **main walls** of the **lawfully existing building** or be authorized by a Section 45 Planning Act minor variance.

## 60.20.50 Yards

### 60.20.50.10 Landscaping

#### (1) Soft Landscaping - Street Lot Line Requirement

In the E zone, any **lot line** abutting a **street** must have a minimum 3.0 metre wide strip of **soft landscaping** along the entire length of the **lot line**, excluding land used for **driveways** and walkways.

## 60.20.60 Ancillary Buildings and Structures

### 60.20.60.1 General

#### (1) Ancillary Building and Structure - Compliance

In the E zone, **ancillary buildings** and **structures** must comply with the requirements for a **building** or **structure**.

### 60.20.60.10 Location

#### (1) Location of Buildings or Structures Used for the Purpose of a Gatehouse, Scale, Weigh-house, Fire Pump House or Other Security Purpose in the E Zone

In the E zone, a **building** or **structure** used as a gatehouse, scale, weigh-house, fire pump house or other security purpose is:

- (A) permitted in the **front yard**; and
- (B) not subject to the required minimum **front yard**, **side yard** and **rear yard building setbacks**.

## 60.20.80 Parking

### 60.20.80.20 Setbacks

#### (1) Parking Space to be Set Back from a Lot Line

A **parking space** that is not in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

## 60.20.90 Loading

### 60.20.90.10 Location

(1) Loading Space Location

A **loading space** may not be in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) any **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

### 60.20.90.11 Location Exemptions

(1) Loading Space Location Exemption

If a **lawfully existing building** has a **lawful loading space** that does not comply with the **loading space** location requirements in regulation 60.20.90.10(1), that **lawful loading space** is exempt from regulation 60.20.90.10(1).

### 60.20.90.40 Access to Loading Space

(1) Access to Loading Space on a Lot in the E Zone

In the E zone:

- (A) if a **lot** abuts a **lane**, **vehicle** access to a **loading space** must be from the **lane**;
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to a **loading space** must be from the **street** which is not a major **street**; and
- (C) if a **lot** is not a **lot** described in (A) or (B), **vehicle** access to a **loading space** may be from the **street** on which the **lot** fronts.

(2) Access Through a Main Wall to a Loading Space

A **loading space** located in a **building** may not have its **vehicle** access through a **main wall** that faces a **street**.

### 60.20.90.41 Access to Loading Space Exemptions

(1) Access to Loading Space Exemption for Buildings on Lots in the E Zone

In the E zone, if a **lawfully existing building** has a **lawful** entrance to a **loading space** that does not comply with regulation 60.20.90.40(1) or Article 220.5.20, that **lawful** entrance is permitted.

(2) Access Through a Main Wall to a Loading Space Exemption

If a **lawfully existing building** has a **lawful** entrance to a **loading space** in a **main wall** facing a **street**, that **lawful loading space** is exempt from regulation 60.20.90.40(2).

## 60.30 Employment Heavy Industrial Zone (EH)

### 60.30.1 General

#### 60.30.1.10 Interpretation

(1) Application of This Section

The regulations in Section 60.30 apply to all lands, uses, **buildings** and **structures** in the EH zone.

(2) Interpretation of the Employment Heavy Industrial Zone Symbol

The zone symbol on the Zoning By-law Map for the Employment Heavy Industrial Zones consists of the letters EH, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the EH Zone Label

In the EH zone, the numerical value following the zone symbol in the zone label, on the Zoning By-law Map, represents the permitted maximum floor space index of all land uses on a **lot**.

#### 60.30.20 Permitted Uses

##### 60.30.20.1 General

(1) Existing Place of Worship

In the EH zone, a **lawfully existing place of worship** is permitted if it is on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Area Overlay Map; and

(A) any expansion or addition to the **place of worship building** must comply with Section 150.50 and the requirements for the EH zone; and

(B) it may be replaced with a new **place of worship building** if it complies with Section 150.50 and the requirements for the EH zone.

##### 60.30.20.10 Permitted Use

(1) Use - EH Zone

In the EH zone, the following uses are permitted:

Ambulance Depot

**Animal Shelter**

Bindery

Building Supply Yards

Carpenter's Shop

Chemical Materials Storage

Cold Storage

**Contractors Establishment**

**Custom Workshop**

Dry Cleaning or Laundry Plant

Fire Hall

Fuel Storage

**Industrial Sales and Service Use**

**Laboratory**

All **Manufacturing Uses** except:

1) Ammunition, Firearms or Fireworks Factory;

2) Crude Petroleum Oil or Coal Refinery;

3) Explosives Factory;

4) Tannery

Police Station

**Public Utility**

**Public Works Yard**



Recovery Facility  
Service Shop  
Shipping Terminal  
Vehicle Depot  
Vehicle Repair Shop  
Warehouse  
Waste Transfer Station [ By-law: OMB PL130592 ]

#### 60.30.20.20 Permitted Use - with Conditions

(1) Use with Conditions - EH Zone

In the EH zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.30.20.100:

Cogeneration Energy (10)  
Crematorium (14)  
Marihuana production facility (3)  
Open Storage (1)  
Outside Operations (2)  
Propane Transfer, Handling and Storage Facility (9)  
Renewable Energy (10)  
Transportation Use (12)  
Vehicle Service Shop (5,13)  
[ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

#### 60.30.20.100 Conditions

(1) Open Storage

In the EH zone:

(A) **open storage must:**

- (i) not encroach into a required minimum **building setback**; and
- (ii) be enclosed by a fence; and

(B) **open storage** may be for **recyclable material** or waste.

(2) Outside Operations

In the EH zone, outside operations:

- (A) must be combined with a permitted **manufacturing use**;
- (B) may not encroach into a required minimum **building setback**; and
- (C) must be enclosed by a fence.

(3) Marihuana Production Facility

In the EH zone, a **marihuana production facility** must comply with the specific use regulations in Section 150.60. [ By-law: 607-2015] [ By-law: 1124-2018 ]

(4) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(5) Vehicle Service Shop

In the EH zone, a **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(6) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(7) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(8) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(9) Propane Transfer, Handling and Storage Facility

In the EH zone, a propane transfer, handling and storage facility pertains to facilities which transfer, handle, or store propane in quantities equal to or greater than 5,000 U.S. Water Gallons (USWG) on the **lot**, and:

- (A) may be on a **lot** that is at least 500 metres from a **lot** in the Residential Zone category, Residential Apartment Zone category, Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone category, or Open Space Zone category; and
- (B) is not a permitted **manufacturing use** that involves propane in the manufacturing process, or in the operation of equipment or **vehicles** that is not subject to regulation (A) above.

(10) Renewable Energy Production or Cogeneration Energy Production

In a EH zone, **renewable energy** production or **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.

(11) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(12) Transportation Use

A **building** or **structure** on a **lot** in the EH zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(13) Vehicle Service Shop - Open Storage

In the EH zone, a **vehicle service shop** may have **open storage** if it is:

- (A) less than 20% of the area of the **lot** that is not covered by wholly enclosed **buildings**; and
- (B) enclosed by a fence.

(14) Crematorium

In the EH zone, a **crematorium** must be a minimum of 300 metres from a **lot** that is not in the EL, E, EH or UT zone.

## 60.30.30 Lot Requirements

### 60.30.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in the EH zone

In the EH zone, the required minimum **lot frontage** is 30.0 metres.

### 60.30.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the EH zone, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage**, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 60.30.30.21(1) must comply with all other applicable regulations of this By-law or be authorized by a Section 45 Planning Act minor variance.

## 60.30.40 Principal Building Requirements

### 60.30.40.10 Height

(1) Maximum Height - EH Zone

In the EH zone, if a **lot** is in an area that:

- (A) has a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of any **building** or **structure** on the **lot** is the numerical value following the letters "HT", in metres; or
- (B) has no numerical value following the letters "HT" on the Height Overlay Map, no height requirement applies.

(2) Height of Buildings and Structures - Green Roof

In the EH zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

#### 60.30.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the EH zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings -- Height

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 60.30.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

#### 60.30.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in the EH Zone

In the EH zone, the required minimum **front yard setback** is 3.0 metres.

(2) Minimum Side Yard Setback for Lots in the EH Zone

In the EH zone, the required minimum **side yard setback** is 3.0 metres.

(3) Minimum Rear Yard Setback for Lots in the EH Zone

In the EH zone, the required minimum **rear yard setback** is 7.5 metres.

(4) Minimum Building Setback for Lots in the EH Zone abutting the Residential Zone Category or the Residential Apartment Zone Category

In the EH zone:

(A) the required minimum **building setback** from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category is 15.0 metres; and

(B) a **structure** that is not a **building** may be no closer than 15.0 metres from a **lot line** that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category.

(5) Building Setback Exemptions for Loading at Railway Tracks in an EH zone

Despite regulations 60.30.40.70(2) and (3), in the EH zone, a **building** or **structure** used for loading or unloading of railway cars at railway tracks has no required minimum **building setback** from a **side lot line** or **rear lot line** that abuts the railway right-of-way.

#### 60.30.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the EH zone, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

(A) a **front lot line**, that **lawful front yard setback** is the minimum **front yard setback** for that **lawfully existing building** or **structure**;

(B) a **rear lot line**, that **lawful rear yard setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; or

(C) a **side lot line**, that **lawful side yard setback** is the minimum **side yard setback** permitted for that **lawfully existing building** or **structure**.

(2) Required Setbacks for Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 60.30.40.71(1) may be set back from a **front lot line**, **rear lot line** or **side lot lines** to the same extent as the **main walls** of the **lawfully existing building** or be authorized by a Section 45 Planning Act minor variance.

(3) Transportation Use Along Eglinton Avenue West and Eglinton Avenue East

Regulations 60.30.40.70(1)(2)(3) and (4) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue West, provided that setbacks are between 0 and 300 metres. [103-2016] [ By-law: 1031-2014 ]

#### 60.30.60 Ancillary Buildings and Structures

#### **60.30.60.1 General**

(1) Ancillary Building and Structure - Compliance

In the EH zone, **ancillary buildings** and **structures** must comply with the **building** and **structure** regulations of this zone.

#### **60.30.90 Loading**

##### **60.30.90.10 Location**

(1) Loading Space Location

A **loading space** may not be in a yard that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

## 60.40 Employment Industrial Office Zone (EO)

### 60.40.1 General

#### 60.40.1.10 Interpretation

(1) Application of This Section

The regulations in Section 60.40 apply to all lands, uses, **buildings** and **structures** in the EO zone.

(2) Interpretation of the Employment Industrial Office Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Employment Industrial Office Zones consists of the letters EO indicating the primary land use permitted in the respective zone.

(3) Interpretation of the EO Zone Label

In the EO zone, the letters following the zone symbol in the zone label have the following meaning:

(A) a numerical value representing the permitted maximum floor space index of all land uses on a **lot** and that may be followed by one or both of the following in brackets:

(i) the letter "e" and a numerical value indicating the permitted maximum floor space index for employment industrial uses on a **lot**; and

(ii) the letter "o" and a numerical value indicating the permitted maximum floor space index for office and other non-employment industrial uses on a **lot**.

(4) Medical Office

In the EO Zone, a medical office includes a medical clinic.

### 60.40.20 Permitted Uses

#### 60.40.20.1 General

(1) Sorting Activities in an Enclosed Building

In the EO zone, the separating or sorting of **recyclable materials** must take place within a wholly enclosed **building**.

#### 60.40.20.10 Permitted Use

(1) Use - EO Zone

In the EO zone:

(A) the following uses are permitted under the letter "e" in the zone label referred to in regulation 60.40.1.10(3)(A)(i):

Ambulance Depot  
**Animal Shelter**  
**Artist Studio**  
Bindery  
Carpenter's Shop  
Cold Storage  
**Custom Workshop**  
Dry Cleaning or Laundry Plant  
Fire Hall  
**Industrial Sales and Service Use**  
**Laboratory**  
Police Station  
Printing Establishment  
**Production Studio**  
**Self-storage Warehouse**  
**Service Shop**  
**Veterinary Hospital**

**Warehouse  
Wholesaling Use**

- (B) the following uses are permitted under the letter "o" in the zone label referred to in regulation 60.40.1.10(3)(A)(ii):

**Art Gallery**  
**Automated Banking Machine**  
**Club**  
**Community Centre**  
**Education Use**  
**Financial Institution**  
Library  
**Massage Therapy**  
Medical Office  
**Municipal Shelter**  
**Museum**  
Office  
**Park**  
**Passenger Terminal**  
**Performing Arts Studio**  
**Software Development and Processing**  
**Wellness Centre** [ By-law: 545-2019 ]

**60.40.20.20 Permitted Use - with Conditions**

(1) Use with Conditions - EO Zone

In the EO zone:

- (A) the following uses are permitted under the letter "e" in the zone label referred to in regulation 60.40.1.10(3)(A)(i) if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.40.20.100:

Apparel and Textile **Manufacturing Use**(3)  
Beverage **Manufacturing Use** (3)  
Clay Product **Manufacturing Use** (3)  
**Cogeneration Energy** (24)  
Computer, Communications, Electronics, or Optical Media **Manufacturing Use** (3)  
**Contractor's Establishment** (2)  
Food **Manufacturing Use** (3)  
Furniture **Manufacturing Use**(3)  
Medical Equipment and Supplies **Manufacturing Use** (3)  
Metal Products **Manufacturing Use** (3)  
**Open Storage** (13)  
Pharmaceutical and Medicine **Manufacturing Use** (3)  
Plastic Product **Manufacturing Use** (3)  
**Public Utility** (25,27)  
**Renewable Energy** (24)  
Transportation Product and **Vehicle Manufacturing Use** (3)  
**Transportation Use** (26)

- (B) the following uses are permitted under the letter "o" in the zone label referred to in regulation 60.40.1.10(3)(A)(ii) if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.40.20.100:

**Drive Through Facility** (10,18)  
**Eating Establishment** (1,16,20,28)  
**Hotel** (5)  
**Outdoor Patio** (14)  
**Personal Service Shop** (6)

Place of Assembly (11,19)  
Place of Worship (29, 30)  
Public Parking (8,9)  
Recreation Use (7)  
Retail Service (6)  
Retail Store (6, 23, 28)  
Take-out Eating Establishment (1,20,28)  
Vehicle Fuel Station (21,28) [ By-law: 1198-2019 ]

#### 60.40.20.100 Conditions

(1) Eating Establishment and Take-out Eating Establishment

In the EO zone, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on a **lot** may not exceed 500.0 square metres. [ By-law: 1198-2019 ]

(2) Contractor's Establishment

In the EO zone, a **contractor's establishment** may not store heavy equipment, such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment.

(3) Manufacturing Use- Interior Floor Area

In the EO zone, the **interior floor area** of **manufacturing uses** listed in Clause 60.40.20.20 on the **lot** must be the lesser of:

- (A) 5,000 square metres; or
- (B) the permitted maximum floor space index for the **lot** according to the numerical value after an "e" in the zone label.

(5) Hotel

In the EO zone, a **hotel** must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map.

(6) Retail Service, Retail Store or Personal Service Shop

In the EO zone, the total **interior floor area** of **retail services**, **retail stores** or **personal service shops** on a **lot** may not exceed the greater of:

- (A) 300.0 square metres; or
- (B) 10 percent of the **gross floor area** of the **buildings** on the **lot** to a maximum of 500.0 square metres. [ By-law: 1198-2019 ]

(7) Recreation Use

In the EO zone, a **recreation use** must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map.

(8) Public Parking - Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category

In the EO zone, if a **lot** with **public parking** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category:

- (A) **vehicle** access to the **public parking** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (B) any part of a **lot line** abutting a **lot** in the Residential Zone category or Residential Apartment Zone category must be fenced; and
- (C) an area used for the parking or storage of a **vehicle** must be at least 3.0 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

(9) Public Parking Attendant Shelter

In the EO zone, one **building** for parking attendants is permitted on a **lot** with a **public parking** use if it:

- (A) has a maximum height of 4.0 metres, including all mechanical equipment;
- (B) has a maximum **interior floor area** of 5.0 square metres; and
- (C) is at least 6.0 metres from a **lot line** abutting a **street**.

(10) Drive Through Facility

In the EO zone, a **drive through facility** must be on a **lot** that fronts on a major **street** on the Policy Areas Overlay Map.

(11) Place of Assembly

In the EO zone, a **place of assembly** must be on a **lot** that has a zone symbol with an "o" value of 1.5 or greater. [ By-law: 1353-2015 ]

(12) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(13) Open Storage

In the EO zone,

(A) **open storage**:

- (i) must be associated with a permitted use;
- (ii) may not be located in a yard that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category;
- (iii) may not be located in the **front yard** of the **lot**;
- (iv) must be located a minimum of 7.5 metres from any **lot line**;
- (v) may not be more than 10% of the **lot area**;
- (vi) may not be more than the permitted maximum height of a **building**; and
- (vii) must be enclosed by a fence; and

(B) **open storage** may be for **recyclable material** and waste.

(14) Outdoor Patio

In the EO zone, an **outdoor patio**:

- (A) must be in association with a permitted use;
- (B) must be no closer to a **lot line** than the required minimum **building setback** for a **building**;
- (C) may not occupy more than 20% of the **front yard**;
- (D) may not be located on land required for **parking spaces, loading spaces, driveways or landscaping**;
- (E) may have a maximum area that is the greater of:
  - (i) 30.0 square metres; or
  - (ii) 30% of the **interior floor area** of the **premises** it is associated with;
- (F) may not be used to provide entertainment such as performances, music and dancing;
- (G) must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (H) despite regulation (G) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (I) in the **rear yard** of a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**; and
- (J) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (G) or (H) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**.

(15) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(16) Eating Establishment

In the EO zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

(17) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(18) Drive Through Facility

In the EO zone, a **drive through facility** must comply with the specific use regulations in Section 150.80.

(19) Place of Assembly - Banquet Hall

In the EO zone, a **place of assembly** that is a banquet hall with an **interior floor area** greater than 1,000 square metres must be at least 300 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the banquet hall is combined with a **hotel**.

(20) Eating Establishment and Take-out eating Establishment- Amusement Device



In the EO zone, an **eating establishment** or **take-out eating establishment** with an **interior floor area** of at least 130 square metres may have a maximum of 2 **amusement devices**.

(21) Vehicle Fuel Station

In the EO zone, a **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(23) Retail Store - together with Manufacturing Use

In the EO zone, a **retail store** on a **lot** with a **manufacturing use**:

- (A) must be associated with a permitted **manufacturing use** on the same **lot**; and
- (B) the total **interior floor area** of all retail stores on a **lot** may not exceed 20 percent of the **gross floor area** of the permitted **manufacturing use**. [ By-law: 1198-2019 as amended by By-law 803-2020 ] [ By-law: 803-2020 ]

(24) Renewable Energy Production or Cogeneration Energy Production

In the EO zone, **renewable energy** production or **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.

(25) Public Utility

In the EO zone, a **public utility** may not be a sewage treatment plant.

(26) Transportation Use

A **building** or **structure** on a **lot** in the EO zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(27) Public Utility

In the EO zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building**:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(28) Retail Store - together with a Vehicle Fuel Station

In the EO zone:

- (A) a **retail store** on a lot with a **vehicle fuel station** is subject to the following:

- (i) the **retail store** must be a convenience store;
- (ii) the **interior floor area** of the **vehicle fuel station**, **retail store**, **eating establishment** or **take-out eating establishment** may not exceed 300 square metres; and
- (iii) the convenience **retail store** may remain on the **lot** as long as the **vehicle fuel station** use exists; and

- (B) For the purposes of regulation (A) above, a convenience store may sell products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines. [ By-law: 1774-2019 ]

(29) Place of Worship

In the EO zone, a **place of worship** must comply with the specific use requirements of Section 150.50.

(30) Place of Worship - Interior Floor Area and Major Street

In the EO zone, a **place of worship**:

- (A) may not have an **interior floor area** that exceeds 5,000 square metres; and
- (B) must be on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Area Overlay Map.

### 60.40.30 Lot Requirements

#### 60.40.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in a EO zone

In the EO zone, the required minimum **lot frontage** is 30.0 metres.

#### 60.40.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the EO zone, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage**, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 60.40.30.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

## 60.40.40 Principal Building Requirements

### 60.40.40.10 Height

(1) Maximum Height - EO Zone

If a **lot** in the EO zone is in an area that:

- (A) has a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is the numerical value following the letters "HT", in metres; or
- (B) has no numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is 30.0 metres.

(2) Height of Buildings and Structures - Green Roof

In the EO zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

### 60.40.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the EO zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings - Height

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 60.40.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

### 60.40.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in the EO Zone

In the EO zone, the required minimum **front yard setback** is 9.0 metres.

(2) Minimum Side Yard Setback for Lots in the EO Zone

In the EO zone, the required minimum **building setback** from a **side lot line**:

- (A) that does not abut a **street**, is:
  - (i) 4.5 metres, if the **lot frontage** is less than 60.0 metres;
  - (ii) 6.0 metres in all other cases; and
- (B) that abuts a **street**, is 9.0 metres.

(3) Minimum Rear Yard Setback for Lots in the EO Zone

In the EO zone, the required minimum **rear yard setback** is 7.5 metres.

(4) Minimum Building Setback for Lots in the EO Zone abutting the Residential Zone Category or the Residential Apartment Zone Category

In the EO zone:

- (A) the required minimum **building setback** from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category is 15.0 metres; and

- (B) a **structure** that is not a **building** may be no closer than 15.0 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

#### 60.40.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the EO zone, if the **building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

- (A) a **front lot line**, that **lawful front yard setback** is the minimum **front yard setback** for that **lawfully existing building** or **structure**;
- (B) a **rear lot line**, that **lawful rear yard setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; or
- (C) a **side lot line**, that **lawful side yard setback** is the minimum **side yard setback** for that **lawfully existing building** or **structure**.

(2) Required Setbacks for Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 60.40.40.71(1) may be set back from the **front lot line**, **rear lot line** or **side lot lines** to the same extent as the **main walls** of the **lawfully existing building** or **structure** or be authorized by a Section 45 Planning Act minor variance.

#### 60.40.50 Yards

##### 60.40.50.10 Landscaping

(1) Soft Landscaping- Street Lot Line Requirement

In the EO zone, any **lot line** abutting a **street** must have a minimum 3.0 metre wide strip of **soft landscaping** along the entire length of the **lot line**, exclusive of **driveways** and walkways.

#### 60.40.60 Ancillary Buildings and Structures

##### 60.40.60.1 General

(1) Ancillary Buildings and Structures - Compliance

In the EO zone, **ancillary buildings** and **structures** must comply with the requirements for a **building** or **structure**.

##### 60.40.60.10 Location

(1) Location of Buildings or Structures Used for the Purpose of a Gatehouse, Scale, Weigh-house, Fire Pump House or Other Security Purpose in an EO Zone

In the EO zone, a **building** or **structure** used as a gatehouse, scale, weigh-house, fire pump house or other security purpose is:

- (A) permitted in the **front yard**; and
- (B) not subject to required minimum **front yard**, **side yard** and **rear yard building setbacks**.

#### 60.40.80 Parking

##### 60.40.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

A **parking space** not in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

## 60.40.90 Loading

### 60.40.90.10 Location

#### (1) Loading Space Location

A **loading space** may not be in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) a **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

### 60.40.90.11 Location Exemptions

#### (1) Loading Space Location Exemption

If a **lawfully existing building** has a **lawful loading space** that does not comply with the **loading space** location requirements in regulation 60.40.90.10(1), that **lawful loading space** is exempt from regulation 60.40.90.10(1).

### 60.40.90.40 Access to Loading Space

#### (1) Access to Loading Space on a Lot in an EO Zone

In the EO zone:

- (A) if a **lot** abuts a **lane**, **vehicle** access to a **loading space** must be from the **lane**;
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a major **street** on the Policy Areas Overlay Map, **vehicle** access to a **loading space** must be from the **street** which is not a major **street**; and
- (C) if a **lot** is not a **lot** described in (A) or (B), **vehicle** access to a **loading space** may be from the **street** on which the **lot** fronts.

#### (2) Access Through a Main Wall to a Loading Space

A **loading space** may not have its **vehicle** access through a **main wall** that faces a **street**.

### 60.40.90.41 Access to Loading Space Exemptions

#### (1) Existing Access to Loading Space Exemption for Buildings on Lots in the EO Zone

In the EO zone, if a **lawfully existing building** has a **lawful vehicle** access to a **loading space** that does not comply with regulation 60.40.90.40(1), or Article 220.5.20, that **lawful vehicle** access is exempt from regulation 60.40.90.40(1) and Article 220.5.20. [ By-law: 1124-2018 ]

#### (2) Access Through a Main Wall to a Loading Space Exemption

If a **lawfully existing building** has a **lawful loading space** access in a **main wall** that faces a **street**, that **lawful loading space** access is exempt from regulation 60.40.90.40(2).

## Chapter 80 Institutional

### 80.5 Regulations Applying to the Institutional Zone Category

#### 80.5.1 General

##### 80.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 80.5 apply to all lands, uses, **buildings** and **structures** in the Institutional Zone category.

(2) Interpretation of the Institutional Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Institutional Zone category consists of the letters I, IE, IH, IS, or IPW, indicating the primary land use permitted in the respective zone.

#### 80.5.20 Permitted Uses

##### 80.5.20.1 General

(1) Lawfully Existing Public School, Private School

A **lawfully existing public school** or **private school** on a **lot** in the Institutional Zone category is permitted on that **lot**, and:

(A) any expansion or addition to the **lawfully existing public school** or **private school building** must comply with Section 150.48 and the requirements for the zone in which the **lot** is located; and

(B) the **lawfully existing public school** or **private school** may be replaced with a new school **building** that complies with Section 150.48 and the requirements for the zone in which the **lot** is located.

#### 80.5.30 Lot Requirements

##### 80.5.30.1 General

(1) Lot Requirements

Additional **lot** requirements are in each zone in the Institutional Zone category.

##### 80.5.30.11 Lot Area Exemptions

(1) Permitted Lot Area for Lawfully Existing Lots

In the Institutional Zone category, if the **lawful lot area** of a **lawfully existing lot** is less than the required minimum **lot area**, that **lawful lot area** is the minimum **lot area** required for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 80.5.30.11(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

##### 80.5.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

In the Institutional Zone category, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage**, that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in regulation 80.5.30.21(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

#### 80.5.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings

In the Institutional Zone category, if the portion of a **lot** covered by **lawfully existing buildings** or **structures** is greater than the permitted maximum **lot coverage**, the **lawful** portion of the **lot** covered by those **lawfully existing buildings** or **structures** is the maximum **lot coverage** for those **lawfully existing buildings** or **structures** on that **lot**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to **lawfully existing buildings** or **structures** referred to in regulation 80.5.30.41(1) must comply with all other regulations in this By-law or be authorized by a Section 45 Planning Act minor variance.

#### 80.5.40 Principal Building Requirements

##### 80.5.40.1 General

(1) Building Requirements

Additional **building** requirements are in each zone in the Institutional Zone category.

##### 80.5.40.10 Height

(1) Determining the Height of a Building

In the Institutional Zone category, the height of a **building** or **structure** is the distance between the average elevation of the ground along the **front lot line** and the elevation of the highest point of the **building** or **structure**.

(2) Height of Specific Structures on a Building

In the Institutional Zone category, the following **structures** on the roof of a **building**, may exceed the permitted maximum height for that **building** by 5.0 metres:

- (A) antennae;
- (B) flagpoles; and
- (C) satellite dishes.

(3) Height of Elements for Functional Operation of a Building

In the Institutional Zone category, the following **structures** on the roof of a **building**, may exceed the permitted maximum height for that **building** by 5.0 metres, subject to regulation 80.5.40.10(4):

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **building** that are used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above.

(4) Height - Horizontal Limits on Elements for Functional Operation of a Building

In the Institutional Zone category, equipment, **structures** or parts of a **building** that exceed the permitted maximum height for a **building** in regulation 80.5.40.10(3), must comply with the following:

- (A) their total area may cover no more than 30% of the area of the roof, measured horizontally; and
- (B) if they are located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(5) Height of Rooftop Amenity Space Safety and Wind Protection

In the Institutional Zone category, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** on a **building** with a height greater than 15.0 metres, may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

#### 80.5.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the Institutional Zone category, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height for a **building**, that **lawful** height is the maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings -- Height

In the Institutional Zone category, an addition or extension to a **lawfully existing building** or **structure** referred to in regulation 80.5.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

#### 80.5.40.40 Floor Area

(1) Gross Floor Area Calculations

In the Institutional Zone category the **gross floor area** of a **building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) elevator shafts;
- (F) mechanical penthouse; and
- (G) exit stairwells in the **building**.

(2) Floor Space Index Calculation for a Building

In the Institutional Zone category the floor space index is the result of the **gross floor area** minus the areas of a **building** listed in regulation 80.5.40.40(1) divided by the area of the **lot**.

#### 80.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the Institutional Zone category, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index greater than the permitted maximum floor space index, the **lawful** floor space index resulting from those **lawfully existing buildings** on that **lot** is the maximum floor space index for those **lawfully existing buildings** on that **lot**.

#### 80.5.40.60 Permitted Encroachments

(1) Canopies and Awnings

In the Institutional Zone category, despite regulations 5.10.40.70(1) and (2), a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** that abuts a **street**, if no part of the canopy, awning or similar **structure** is more than 5.0 metres above the elevation of the ground directly below it.

#### 80.5.40.70 Setbacks

(1) Building Setback from a Lane

A **building** or **structure** in the Institutional Zone category may be no closer than 2.5 metres from the original centreline of a **lane**.

#### 80.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the Institutional Zone category, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

- (A) a **front lot line**, that **lawful building setback** is the minimum **front yard setback** for that **lawfully existing building** or **structure**;
- (B) a **rear lot line**, that **lawful building setback** is the minimum **rear yard setback** for that **lawfully existing building** or **structure**; or
- (C) a **side lot line**, that **lawful building setback** is the minimum **side yard setback** for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 80.5.40.71(1) must comply with the required minimum **building setbacks** or be authorized by a Section 45 Planning Act minor variance.

(3) Permitted Setbacks for Lawfully Existing Building from a Lane

In the Institutional Zone category, if the **lawful** distance of a **lawfully existing building** or **structure** from the original centreline of a **lane** is less than the required minimum distance from the original centreline of the **lane**, that **lawful** distance is the minimum distance from the original centreline of the **lane** for that **lawfully existing building** or **structure**.

(4) Additions Above Lawfully Existing Buildings in Relation to a Lane

The required minimum distance from the original centreline of a **lane** for any addition or extension above a **lawfully existing building** or **structure** referred to in regulation 80.5.40.71(3) is the minimum distance from the original centreline of the **lane** permitted by regulation 80.5.40.71(3).

## 80.5.50 Yards

### 80.5.50.10 Landscaping

(1) Landscaping Requirement When Abutting a Lot in a Residential Zone Category

If a **lot** in the Institutional Zone category abuts a **lot** in the Residential Zone category, a minimum 1.5 metre wide strip of **soft landscaping** must be provided along the part of the **lot line** abutting the **lot** in the Residential Zone category.

## 80.5.60 Ancillary Buildings and Structures

### 80.5.60.10 Location

(1) Ancillary Building Location Restriction

In the Institutional Zone category, an **ancillary building** or **structure** may not be located in a **front yard**.

### 80.5.60.20 Setbacks

(1) Setback of Ancillary Building or Structure

In the Institutional Zone category, an **ancillary building** or **structure** must be set back from a **side lot line** and **rear lot line** the greater of:

- (A) half the height of the **ancillary building** or **structure**; or
- (B) 3.0 metres, if the **lot line** abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category.

### 80.5.60.40 Height

(1) Height of Ancillary Buildings and Structures

In the Institutional Zone category, the height of an **ancillary building** or **structure** is the distance between **average grade** and the elevation of the highest point of the **ancillary building** or **structure**.



## 80.5.75 Energy Regulations

### 80.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device - Location Restriction

In the Institutional Zone category, a device producing **renewable energy** or **cogeneration energy** on a **lot** may not be in a **front yard** or **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height Requirements

In the Institutional Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

(A) on a **building**:

- (i) must comply with the required minimum **building setbacks** for a **building** on the **lot**; and
- (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the **building**; and

(B) ground mounted, the device must comply with the requirements for a **building** or **structure** on the **lot**.

(3) Wind Energy Device - Setbacks

In the Institutional Zone category, a **wind energy** device must comply with the required minimum **building setbacks** for a **building** on the **lot**.

(4) Wind Energy Device - Height

In the Institutional Zone category, no part of the **wind energy** device may exceed the permitted maximum height for a **building** by more than:

(A) 3.0 metres if:

- (i) the **wind energy** device is on a **lot** that abuts a **lot** in the Residential Zone category; or
- (ii) the **building** is less than 25 metres in height; and

(B) 5.0 metres in all other cases.

(5) Geo-energy Requirements

In the Institutional Zone category, any above-ground part of a **geo-energy** device must comply with the requirements for a **building** or **structure** on the **lot**.

(6) Cogeneration Device

In the Institutional Zone category, a **cogeneration energy** device must be located inside a permitted **building**.

## 80.5.80 Parking

### 80.5.80.1 General

(1) Required Parking Space

A **parking space** required by this By-law for a use in the Institutional Zone category must be available for the use for which it is required.

### 80.5.80.10 Location

(1) Location of Required Parking Spaces

A **parking space** must be on the same **lot** as the use for which the **parking space** is required.

(2) Off-Site Parking Spaces

Despite regulation 80.5.80.10(1), in the Institutional Zone category a required **parking space** may be located on an abutting **lot** in the same zone.

### 80.5.80.30 Separation

(1) Parking Separation from Lot Line

In the Institutional Zone category, an area used for the parking or storage of 3 or more **vehicles** must be separated by a minimum 1.5 metres wide strip of **soft landscaping** from a **lot line** that abuts a **street** or **lane**.

(2) Parking Restriction When Abutting the Residential Zone Category

If a **lot** in the Institutional Zone category abuts a **lot** in the Residential Zone category, an area used for the parking or storage of 3 or more **vehicles** may be in a **rear yard** or **side yard**, if a fence is installed along the part of the **lot line** that abuts the **lot** in the Residential Zone category.

## 80.5.100 Access to Lot

### 80.5.100.10 Location

(1) Access to Non-Residential Uses when Adjacent to a Lot in the Residential Zone Category - Restriction on Sole Access from a Lane or Shared Private Right-of-Way

A **lot** in the Institutional Zone category may be used for parking for a use on an adjacent **lot**, if it does not front on a **street** and has its only **vehicle** access from a **lane** or private right-of-way that abuts a **lot** in the Residential Zone category.

(2) Driveway Access to a Lot - Crossing Landscaping Area

In the Institutional Zone category, a **driveway** may cross a required **landscaping** area.

(3) Access to Parking Areas Adjacent to a Lot in the Residential Zone Category

If a **lot** in the Institutional Zone category abuts a **lot** in the Residential Zone category **vehicle** access to a **parking space** may not be over any part of a **lot** in the Residential Zone category;

(4) Loading Restrictions Adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone category

If a **lot** in the Institutional Zone category abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category:

(A) **vehicle** access to a **loading space** may not cross any part of a **lot** in the Residential Zone category or the Residential Apartment Zone category; and

(B) any part of a **lot line** abutting a **lot** in the Residential Zone category or the Residential Apartment Zone category must be fenced.

## **80.10 Institutional General Zone (I)**

### **80.10.1 General**

#### **80.10.1.10 Interpretation**

(1) Application of This Section

The regulations in Section 80.10 apply to all lands, uses, **buildings** and **structures** in the I zone.

(2) Medical Office

In the I zone, a medical office includes a medical clinic.

### **80.10.20 Permitted Uses**

#### **80.10.20.10 Permitted Use**

(1) Use - I Zone

In the I zone, the following uses are permitted:

**Art Gallery**  
**Club**  
**Community Centre**  
**Hospice Care Home**  
**Library**  
**Massage Therapy**  
**Medical Office**  
**Municipal Shelter**  
**Museum**  
**Nursing Home**  
**Park**  
**Recreation Use**  
**Religious Education Use**  
**Religious Residence**  
**Respite Care Facility**  
**Retirement Home**  
**Wellness Centre** [ By-law: 545-2019 ]

#### **80.10.20.20 Permitted Use - with Conditions**

(1) Use with Conditions - I Zone

In the I zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.10.20.100:

Ambulance Depot (16)  
**Automated Banking Machine** (10)  
**Cogeneration Energy** (22)  
**Crisis Care Shelter** (12)  
**Day Nursery** (6)  
**Drive Through Facility** (23)  
**Eating Establishment** (2)(7)  
**Financial Institution** (3)  
Fire Hall (17)  
**Group Home** (13)  
**Personal Service Shop** (4)  
**Place of Assembly** (5)  
**Place of Worship** (15)  
Police Station (18)

**Private School (9)**  
**Public Parking (1)(8)**  
**Public School (9)**  
**Public Utility (19) (20)**  
**Renewable Energy (22)**  
**Residential Care Home (13)**  
**Retail Store (2)**  
**Secondary Suite (24)**  
**Student Residence (11)**  
**Take-out Eating Establishment (2)(7)**  
**Transportation Use (21) [ By-law: 545-2019 ]**

#### 80.10.20.100 Conditions

(1) Public Parking Abutting a Lot in the Residential Zone Category

In the I zone, **vehicle** access to **public parking** may not be over any part of a **lot** in the Residential Zone category.

(2) Retail Store, Eating Establishment and Take-out Eating Establishment

In the I zone:

- (A) the **interior floor area** for each **retail store**, **eating establishment** and **take-out eating establishment** on a **lot** may not exceed 465 square metres; and
- (B) the total **interior floor area** used for all **retail stores**, **eating establishments** and **take-out eating establishments** on a **lot** may not exceed 0.3 times the **lot area**.

(3) Financial Institution

In the I zone, the **interior floor area** of a **financial institution** may not exceed 250 square metres.

(4) Personal Service Shop

In the I zone, the **interior floor area** of a **personal service shop** may not exceed 250 square metres.

(5) Place of Assembly

In the I zone, the **interior floor area** of a **place of assembly** may not exceed the lesser of:

- (A) 4000 square metres; or
- (B) 75% of the area of the **lot** covered by all **buildings** on the **lot**.

(6) Day Nursery

A **day nursery** in the I zone may not be located above the first **storey** of a **building**.

(7) Size Restriction on Eating Establishments Near or Abutting a Lot in the Residential Zone Category

If a **lot** in the I zone is within 6.1 metres of a **lot** in the Residential Zone category, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on the **lot** may not exceed 400 square metres.

(8) Public Parking Attendant Shelter

In the I zone, one **building** for parking attendants is permitted on a **lot** with a **public parking** use, if it:

- (A) has a maximum height of 4.0 metres, including all mechanical equipment;
- (B) has a maximum **interior floor area** of 5.0 square metres; and
- (C) is at least 6.0 metres from a **lot line** abutting a **street**.

(9) Public School, Private School

In the I zone, a **public school** and **private school** must comply with the specific use regulations in Section 150.48.

(10) Automated Banking Machine

In the I zone, an **automated banking machine** must be in a **building**.

(11) Student Residence

A **student residence** must be operated by a **public school** or **private school** on the same **lot**.

(12) Crisis Care Shelter

In the I zone, a **crisis care shelter** must comply with the specific use regulations in Section 150.20.

(13) Group Home or Residential Care Home

In the I Zone, a **group home** or a **residential care home** must comply with the specific use regulations in Section 150.15.

(15) Place of Worship

In the I zone, a **place of worship** must comply with the specific use regulations in Section 150.50.

(16) Ambulance Depot

In the I zone, an ambulance depot must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is not more than 250 metres from that intersection.

(17) Fire Hall

In the I zone, a fire hall must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is not more than 250 metres from that intersection.

(18) Police Station

In the I zone, a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(19) Public Utility

In the I zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(20) Public Utility

In the I zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the I zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(21) Transportation Use

A **building** or **structure** on a **lot** in the I zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(22) Renewable Energy Production or Cogeneration Energy Production

In the I zone, **renewable energy** production or **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.

(23) Drive Through Facility

In the I zone, a **drive through facility** must comply with the specific use regulations in Section 150.80.

(24) Secondary Suite

In the I zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

## 80.10.30 Lot Requirements

### 80.10.30.20 Lot Frontage

(1) Minimum Lot Frontage

In the I zone, the required minimum **lot frontage** is 20.0 metres

#### 80.10.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the I zone, if a **lot**:

- (A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; or
- (B) is not in an area with a numerical value on the Lot Coverage Overlay Map, the permitted maximum **lot coverage** is 35%.

#### 80.10.40 Principal Building Requirements

##### 80.10.40.10 Height

(1) Maximum Height

If a **lot** in the I zone is in an area that has:

- (A) a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a **building** or **structure** is the numerical value in metres on the Height Overlay Map; and
- (B) no numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is 15.0 metres.

(2) Height of Buildings and Structures - Green Roof

In the I zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

##### 80.10.40.40 Floor Area

(1) Floor Space Index

In the I zone, the permitted maximum floor space index is:

- (A) the numerical value following the zone symbol on the Zoning By-law Map; or
- (B) 1.0, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [ By-law: 0559-2014 (OMB PL130592) ] [ By-law: 1124-2018 ]

##### 80.10.40.41 Floor Area Exemptions

(1) Floor Area Exemptions

Regulation 80.10.40.40(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton East, provided that the maximum floor area is no greater than 2 times the area of the lot. [103-2016] [ By-law: 1031-2014 ]

##### 80.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space Requirement

In the I zone, a minimum of 0.9 square metres of **amenity space** must be provided for each **dwelling unit** and **bedsitting room** in a **building** and a minimum of 75% of the **amenity space** must be within a **building**.

##### 80.10.40.60 Permitted Encroachments

(1) Canopy Encroachments

In the I zone, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** a maximum of 4.0 metres, if no part of the canopy, awning or similar **structure** is more than 5.0 metres above the elevation of the ground directly below it.

(2) Permitted Encroachments - Exterior Stairs, Access Ramp and Elevating Device

In the I zone:

- (A) exterior stairs providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the stairs are:
  - (i) no longer than 1.5 horizontal units for each 1.0 vertical unit above the ground at the point where the stairs meet the **building** or **structure**;
  - (ii) no wider than 2.0 metres; and
  - (iii) no closer to a **lot line** than 0.3 metres; and
- (B) an uncovered ramp providing pedestrian access to a **building** or **structure** may encroach into a required minimum **building setback**, if the ramp is:
  - (i) no longer than 15 horizontal units for each 1.0 vertical unit above the ground at the point where the ramp meets the **building** or **structure**;
  - (ii) no wider than 1.5 metres for each sloped ramp segment; and
  - (iii) no closer to a **lot line** than 0.3 metres; and
- (C) an elevating device providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the elevating device:
  - (i) elevates no higher than the first **storey** of the **building**;
  - (ii) has a maximum area of 3.0 square metres; and
  - (iii) is no closer to a **lot line** than 0.3 metres.

#### 80.10.40.70 Setbacks

(1) Building Setback Policy Areas 1 to 3

If a **lot** in the I zone is located in Policy Area 1 (PA1), Policy Area 2 (PA-2) or Policy Area 3 (PA-3) on the Policy Areas Overlay Map, a **building** or **structure** on that **lot** must be set back:

- (A) no more than 3.0 metres from a **front lot line**;
- (B) a minimum of 5.5 metres from a **side lot line** that does not abut a **street** or **lane** if the **main wall** of a **building** facing the **side lot line** has windows;
- (C) 3.0 metres from a **rear lot line** or **side lot line** that abuts a **lot** in the Residential Zone category; and
- (D) in all other cases, no **building setback** is required.

(2) Building Setback in other than Policy Areas 1 to 3

If a **lot** in the I zone is not located in Policy Area 1 (PA1), Policy Area 2 (PA-2) or Policy Area 3 (PA-3) on the Policy Areas Overlay Map, a **building** or **structure** must be set back from a **lot line** a distance equal to half the height of the **building**.

#### 80.10.40.71 Setbacks Exemptions

(1) Setback Exemptions

Regulations 80.10.40.70(1) and (2) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East provided that the setbacks are between 0 and 40 metres. [103-2016] [ By-law: 1031-2014 ]

#### 80.10.50 Yards

##### 80.10.50.10 Landscaping

(1) Front Yard Landscaping

In the I zone, the entire **front yard** excluding a permitted **driveway** must be **landscaping**, and a minimum of 75% of the **front yard landscaping** must be **soft landscaping**.

(2) Soft Landscaping Requirement

In the I zone, a minimum of 50% of the area of the **lot** not covered by **buildings** or **structures** must be **soft landscaping**.

#### 80.10.50.11 Landscaping Exemptions

(1) Landscaping Exemptions

Regulations 80.10.50.10(1) and (2) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East. [103-2016] [ By-law: 1031-2014 ]

#### 80.10.80 Parking

##### 80.10.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

A **parking space** which is not in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

#### 80.10.90 Loading

##### 80.10.90.10 Location

(1) Loading Space Location

A **loading space** may not be in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) any **side yard** or **rear yard** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

##### 80.10.90.11 Location Exemptions

(1) Loading Space Location Exemption

If a **lawfully existing building** has a **lawful loading space** that does not comply with the **loading space** location requirements in regulation 80.10.90.10(1), that **lawful loading space** is exempt from the requirements of regulation 80.10.90.10(1).

#### 80.10.150 Waste

##### 80.10.150.1 General

(1) Waste and Recyclable Materials Storage

In the I zone:

- (A) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
- (B) if the waste and **recyclable material** is stored in an **ancillary building**, the **ancillary building**:
  - (i) may not be in a **side yard** that abuts a **street** or in a **front yard**; and
  - (ii) must be at least:
    - (a) 7.5 metres from a **lot** in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and
    - (b) 1.0 metres from all other **side lot lines** and **rear lot lines**.





## 80.20 Institutional Hospital Zone (IH)

### 80.20.1 General

#### 80.20.1.10 Interpretation

(1) Application of This Section

The regulations in Section 80.20 apply to all lands, uses, **buildings** and **structures** in the IH zone.

### 80.20.20 Permitted Uses

#### 80.20.20.10 Permitted Use

(1) Use - IH Zone

In the IH zone, the following uses are permitted:

**Education Use**  
**Hospice Care Home**  
**Hospital**  
**Massage Therapy**  
Medical Office  
**Municipal Shelter**  
**Park**  
**Wellness Centre**

[ By-law: 545-2019 ] [ By-law: 451-2022 ]

#### 80.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IH Zone

In the IH zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.20.20.100:

Ambulance Depot (12)  
**Automated Banking Machine** (3)  
**Cogeneration Energy** (18)  
**Crisis Care Shelter** (8)  
**Day Nursery** (7)  
**Eating Establishment** (4,11)  
**Financial Institution** (5)  
Fire Hall (13)  
**Laboratory** (9)  
**Nursing Home** (1)  
Office (2)  
**Personal Service Shop** (4,11)  
**Place of Worship** (22)  
Police Station (14)  
**Post-Secondary School** (20)  
**Public Parking** (6,10)  
**Public Utility** (15) (16)  
**Renewable Energy** (18)  
**Respite Care Facility** (1)  
**Retail Store** (4,11)  
**Retirement Home** (1)  
**Secondary Suite** (21)  
**Student Residence** (1)  
**Take-out Eating Establishment** (4,11)  
**Transportation Use** (17)

[ By-law 1353-2015 ] [ By-law: 545-2019 ]

## 80.20.20.100 Conditions

(1) Nursing Home, Retirement Home, Student Residence, Respite Care Facility

In the IH zone, a **nursing home**, a **retirement home**, a **student residence**, or a **respite care facility** must be in a **building** operated by or on behalf of a **hospital**.

(2) Office

In the IH zone, an office must be in a **building** operated by or in association with a **hospital**.

(3) Automated Banking Machine

In the IH zone, an **automated banking machine** must be in a **building**.

(4) Retail Store, Personal Service Shop, Eating Establishment and Take-out Eating Establishment

In the IH zone, a **retail store**, **personal service shop**, **eating establishment** or **take-out eating establishment** are subject to the following:

(A) they must be in a **hospital building**;

(B) each **retail store**, **personal service shop** or **eating establishment** may not have an **interior floor area** greater than 150 square metres;

(C) the total **interior floor area** for all **retail stores**, **personal service shops** and **eating establishments** on a **lot** may not exceed 30% of the **interior floor area** of the first **storey** of the **hospital building**; and

(D) regulations (B) and (C) above do not apply to a cafeteria that is **ancillary** to the **hospital**.

(5) Financial Institution

In the IH zone, a **financial institution** must:

(A) be in a **hospital building**; and

(B) have an **interior floor area** no greater than 150 square metres.

(6) Public Parking Attendant Shelter

In the IH zone, one **building** for parking attendants is permitted on a **lot** with a **public parking** use, if it:

(A) has a maximum height of 4.0 metres, including all mechanical equipment;

(B) has a maximum **interior floor area** of 5.0 square metres; and

(C) is at least 6.0 metres from a **lot line** abutting a **street**.

(7) Day Nursery

In the IH zone, a **day nursery** must be in a **hospital building**.

(8) Crisis Care Shelter

In the IH zone, a **crisis care shelter** must:

(A) be on a **lot** that has a permitted maximum floor space index of 7.0 or greater; and

(B) comply with the specific use regulations in Section 150.20. [ By-law: 607-2015 ]

(9) Laboratory

In the IH zone, a **laboratory** must be:

(A) operated by, or in association with, a **hospital**; or

(B) used for research limited to medical or health sciences.

(10) Public Parking Abutting a Lot in the Residential Zone Category

In the IH zone, **vehicle** access to the **public parking** may not be over any part of a **lot** in the Residential Zone category.

(11) Size Restriction on Establishments Near or Abutting a Lot in the Residential Zone Category

If a **lot** in the IH zone is within 6.1 metres of a **lot** in the Residential Zone category, access to a **retail store**, **personal service shop**, **eating establishment** or **take-out eating establishment** must be from inside the **hospital building**.

(12) Ambulance Depot

In the IH zone, an ambulance depot must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(13) Fire Hall

In the IH zone, a fire hall must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(14) Police Station

In the IH zone, a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(15) Public Utility

In the IH Zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(16) Public Utility

In the IH zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the IH zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(17) Transportation Use

A **building** or **structure** on a **lot** in the IH zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(18) Renewable Energy Production or Cogeneration Energy Production

In the IH zone, **renewable energy** production or **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.

(20) Post-Secondary School

In the IH Zone, a **post-secondary school** must be:

- (A) for education in medicine, dentistry or other health sciences; and
- (B) in association with a **hospital**.

(21) Secondary Suite

In the IH zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

(22) Place of Worship

In the IH zone, a **place of worship** must:

- (A) comply with the specific use regulations in Section 150.50;
- (B) be on the same **lot** as a **hospital** or a **hospice care home**; and
- (C) be in a **building** with no more than 5,000 square metres of **gross floor area**, unless it is inside a **hospital**.

## 80.20.30 Lot Requirements

### 80.20.30.20 Lot Frontage

(1) Minimum Lot Frontage

The required minimum **lot frontage** in the IH zone is 30 metres.

#### 80.20.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the IH zone, if a **lot**:

- (A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; or
- (B) is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

#### 80.20.40 Principal Building Requirements

##### 80.20.40.10 Height

(1) Maximum Height

If a **lot** in the IH zone is in an area that has a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a **building** or **structure** is the numerical value in metres on the Height Overlay Map. If no numerical number follows the letters "HT" on the Height Overlay Map the maximum height is not limited by this regulation.

(2) Height of Buildings and Structures - Green Roof

In the IH zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

(3) Height of Buildings and Structures - Helicopter Landing Pad

In the IH zone, a permitted helicopter landing pad on the roof of a **hospital building** may exceed the permitted maximum height for the **building** by 3.0 metres, if the highest part of the landing pad is no more than 3.0 metres above the surface level of the roof.

##### 80.20.40.40 Floor Area

(1) Floor Space Index

In the IH zone, the permitted maximum floor space index is:

- (A) the numerical value following the zone symbol on the Zoning By-law Map; or
- (B) 1.0, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [ By-law: 0559-2014 (OMB PL130592) ] [ By-law: 1124-2018 ]

##### 80.20.40.60 Permitted Encroachments

(1) Permitted Encroachments into Required Yards - Access Ramp and Elevating Device

In the IH zone:

- (A) an uncovered ramp providing access to a **building** or **structure** may encroach into a required minimum **building setback** if the ramp is:
  - (i) no longer than 15 horizontal units for each 1.0 vertical unit above the ground at the point where the ramp meets the **building** or **structure**;
  - (ii) no wider than 1.5 metres for each sloped ramp segment; and
  - (iii) no closer than 0.6 metres to a **lot line**; and
- (B) an elevating device providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the elevating device:
  - (i) elevates no higher than the first **storey** of the **building**;
  - (ii) has a maximum area of 6.0 square metres; and

(iii) is no closer than 0.6 metres from a **lot line**.

(2) Canopies and Awnings - Five Metres or Less Above Grade

In the IH zone, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** a maximum of 4.0 metres, if no part of the canopy, awning or similar **structure** is more than 5.0 metres above the elevation of the ground directly below it.

(3) Canopies and Awnings - More Than Five Metres Above Grade

In the IH zone, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** a maximum of 2.5 metres if:

- (A) it is more than 5.0 metres above the elevation of the ground directly below it; and
- (B) it is at least 0.6 metres from a **lot line**.

## 80.20.40.70 Setbacks

(1) Minimum Front Yard Setback

The required minimum **front yard setback** in the IH zone is:

- (A) zero metres if the **lot** is in the Policy Area 1 (PA1) on the Policy Areas Overlay Map; and
- (B) 7.5 metres in all other cases.

(2) Minimum Rear Yard Setback

In the IH zone, the required minimum **rear yard setback** is:

- (A) the greater of 7.5 metres or half the height of the **building**, if the **rear lot line** abuts a **lot** in the Residential Zone category; and
- (B) 7.5 metres in all other cases.

(3) Minimum Side Yard Setback

The required minimum **side yard setback** for a **lot** in the IH zone is:

- (A) if the **lot** is located in Policy Area 1 (PA1) on the Policy Areas Overlay Map:
  - (i) zero metres if the **side lot line** does not abut a **lot** in the Residential Zone category; and
  - (ii) the greater of 7.5 metres or half the height of the **building**, if the **side lot line** abuts a **lot** in the Residential Zone category; and
- (B) if the **lot** is not located in the Policy Area 1 (PA1) on the Policy Areas Overlay Map:
  - (i) 7.5 metres if the **side lot line** abuts a **street**; and
  - (ii) in all other cases, the greater of 7.5 metres or half the height of the **building**.

## 80.20.60 Ancillary Buildings and Structures

### 80.20.60.20 Setbacks

(1) Ancillary Building or Structure to be Set Back

In the IH zone an **ancillary building** or **structure** may be no closer to a **side lot line** or **rear lot line**, that does not abut a **street**, than the greater of 1.5 metres or half the height of the **ancillary building** or **structure**.

(2) Building Setback from a Street

In the IH zone, no part of an **ancillary building** or **structure** may be closer to a **lot line** that abuts a **street** than any **main wall** of the main **buildings** on the **lot**.

## 80.20.60.70 Lot Coverage

(1) Lot Coverage - Ancillary Buildings

In the IH zone, the permitted maximum **lot coverage** for **ancillary buildings** and **structures** is 15% of the **lot area**.

## 80.20.80 Parking

### 80.20.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

In the IH zone, a **parking space** which is not in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

(2) Parking Spaces to be Set Back from a Lot in the Residential Zone Category

In the IH zone, an area used for the parking or storage of more than 3 **vehicles** may be no closer than 7.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category.

## 80.20.90 Loading

### 80.20.90.10 Location

(1) Loading Space Location

A **loading space** may not be in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) any yard that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

### 80.20.90.11 Location Exemptions

(1) Loading Space Location Exemption

If a **lawfully existing building** has a **lawful loading space** that does not comply with the **loading space** location requirements of regulation 80.20.90.10(1), that **lawful loading space** is exempt from the requirements of regulation 80.20.90.10(1).

## 80.20.150 Waste

### 80.20.150.1 General

(1) Storage of Waste

In the IH zone:

- (A) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
- (B) if the waste and **recyclable material** is stored in an **ancillary building**, the **ancillary building**:
  - (i) may not be in a **side yard** that abuts a **street** or in a **front yard**; and
  - (ii) must be at least:
    - (a) 7.5 metres from a **lot** in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and
    - (b) 1.0 metres from all other **side lot lines** and **rear lot line**.

## 80.30 Institutional Education Zone (IE)

### 80.30.1 General

#### 80.30.1.10 Interpretation

(1) Application of This Section

The regulations in Section 80.30 apply to all lands, uses, **buildings** and **structures** in the IE zone.

### 80.30.20 Permitted Uses

#### 80.30.20.10 Permitted Use

(1) Use - IE Zone

In the IE zone, the following uses are permitted:

**Art Gallery**  
**Automated Banking Machine**  
**Club**  
**Library**  
**Massage Therapy**  
**Municipal Shelter**  
**Museum**  
**Park**  
**Performing Arts Studio**  
**Place of Assembly**  
**Post-Secondary School**  
**Production Studio**  
**Recreation Use**  
**Religious Education Use**  
**Student Residence**  
**Wellness Centre** [ By-law: 545-2019 ]

#### 80.30.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IE Zone

In the IE zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.30.20.100:

Ambulance Depot (14)  
**Cogeneration Energy** (20)  
**Community Centre** (10)  
**Day Nursery** (9)  
**Eating Establishment** (4)(13)  
**Entertainment Place of Assembly** (7)  
**Financial Institution** (5)  
Fire Hall (15)  
**Laboratory** (11)  
Medical Office (3)  
Office (3)  
**Personal Service Shop** (6)  
**Place of Worship** (23)  
Police Station (16)  
**Public Parking** (1)(12)  
**Public Utility** (17)(18)  
**Renewable Energy** (20)  
**Retail Store** (8)



**Secondary Suite (22)**  
**Software Development and Processing (2)**  
**Sports Place of Assembly (7)**  
**Take-out Eating Establishment (4)(13)**  
**Transportation Use (19) [ By-law: 545-2019 ]**

### 80.30.20.100 Conditions

(1) Public Parking Attendant Shelter

In the IE zone, one **building** for parking attendants is permitted on a **lot** with a **public parking** use, if it:

- (A) has a maximum height of 4.0 metres, including all mechanical equipment;
- (B) has a maximum **interior floor area** of 5.0 square metres; and
- (C) is at least 6.0 metres from a **lot line** abutting a **street**.

(2) Software Development and Processing

In the IE zone, a **software development and processing** use must be operated by or be in association with a **post-secondary school**.

(3) Office or Medical Office

In the IE zone, an office or medical office must be in association with a **post-secondary school** on the **lot**.

(4) Eating Establishment and Take-out Eating Establishment

In the IE zone, the **interior floor area** of an **eating establishment** or **take-out eating establishment** may not exceed 1000 square metres.

This regulation does not apply to a cafeteria that is **ancillary** to a **post-secondary school**. [ By-law: 1092-2021 ]

(5) Financial Institution

In the IE zone, the **interior floor area** of a **financial institution** may not exceed 500 square metres.

(6) Personal Service Shop

In the IE zone, the **interior floor area** of a **personal service shop** may not exceed 500 square metres.

(7) Entertainment Place of Assembly and Sports Place of Assembly

In the IE zone, a **place of assembly**, **entertainment place of assembly** or **sports place of assembly** must be operated by or be in association with a **post-secondary school**.

(8) Retail Store

In the IE zone, the **interior floor area** of a **retail store** may not exceed 500 square metres.

(9) Day Nursery

In the IE zone, the **interior floor area** of a **day nursery** may not exceed 500 square metres.

(10) Community Centre

In the IE zone, a **community centre** may be no more than 5000 square metres in **gross floor area**.

(11) Laboratory

In the IE zone, a **laboratory** must be operated by or be in association with a **post-secondary school**.

(12) Public Parking Abutting a Lot in the Residential Zone Category

In the IE zone, **vehicle** access to the **public parking** may not be over any part of a **lot** in the Residential Zone category.

(13) Size Restriction on Eating Establishments Near or Abutting a Lot in the Residential Zone Category

If a **lot** in the IE zone is within 6.1 metres of a **lot** in the Residential Zone category, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on the **lot** may not exceed 400 square metres.

(14) Ambulance Depot

In the IE zone, an ambulance depot must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(15) Fire Hall

In the IE zone, a fire hall must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(16) Police Station

In the IE zone, a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(17) Public Utility

In the IE Zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(18) Public Utility

In the IE zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the IE zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(19) Transportation Use

A **building** or **structure** on a **lot** in the IE zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(20) Renewable Energy Production or Cogeneration Energy Production

In the IE zone, **renewable energy** production or **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.

(22) Secondary Suite

In the IE zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

(23) Place of Worship

In the IE zone, a **place of worship** must comply with the specific use regulations in Section 150.50.

### 80.30.30 Lot Requirements

#### 80.30.30.20 Lot Frontage

(1) Minimum Lot Frontage

The required minimum **lot frontage** in the IE zone is 20.0 metres.

#### 80.30.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the IE zone, if a **lot**:

- (A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; or
- (B) is not in an area with a numerical value on the Lot Coverage Overlay Map, the permitted maximum **lot coverage** is 35%.

### 80.30.40 Principal Building Requirements

#### 80.30.40.10 Height

(1) Maximum Height

If a **lot** in a IE zone is in an area that has:

- (A) a numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is the numerical value following the letters 'HT' on the Height Overlay Map, in metres; or
- (B) no numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is 13.0 metres.

(2) Height of Buildings and Structures - Green Roof

In the IE zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

#### 80.30.40.40 Floor Area

(1) Floor Space Index

In the IE zone, the permitted maximum floor space index is:

- (A) the numerical value following the zone symbol on the Zoning By-law Map; or
- (B) 0.4, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [ By-law: 0559-2014 (OMB PL130592) ] [ By-law: 1124-2018 ]

#### 80.30.40.70 Setbacks

(1) Minimum Building Setbacks

In the IE zone the required minimum **building setback** from a **lot line** is the distance equal to half the height of the **building**.

#### 80.30.40.80 Separation

(1) Separation Between Buildings

If two or more **buildings** are on a **lot** in the IE zone, the required minimum separation distance between all **main walls** of any two **buildings** is the greater of:

- (A) 20 metres; or
- (B) half of the total height of the two **buildings**.

#### 80.30.80 Parking

##### 80.30.80.10 Location

(1) Location Of Parking Spaces

In the IE zone, a surface **parking space** may not be in a **front yard**.

##### 80.30.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

A **parking space** which is not located in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

#### 80.30.90 Loading

### 80.30.90.10 Location

(1) Loading Space Location Exemption

A **loading space** may not be in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) any yard that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

### 80.30.90.11 Location Exemptions

(1) Loading Space Location Exemption

In the IE Zone, if a **lawfully existing building** has a **lawful loading space** that does not comply with the **loading space** location requirements of regulation 80.30.90.10(1), that **lawful loading space** is exempt from the requirements of regulation 80.30.90.10(1).

### 80.30.150 Waste

#### 80.30.150.1 General

(1) Storage of Waste

In the IE zone:

- (A) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
- (B) if waste and **recyclable material** is stored in an **ancillary building**, the **ancillary building**:
  - (i) may not be in a **side yard** that abuts a **street** or in a **front yard**; and
  - (ii) must be at least:
    - (a) 7.5 metres from a **lot** in the Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and
    - (b) 1.0 metres from all other **side lot lines** and **rear lot line**.

## 80.40 Institutional School Zone (IS)

### 80.40.1 General

#### 80.40.1.10 Interpretation

(1) Application of This Section

The regulations in Section 80.40 apply to all lands, uses, **buildings** and **structures** in the IS zone.

### 80.40.20 Permitted Uses

#### 80.40.20.1 General

(1) Existing Place of Worship

A **lawfully existing place of worship** on a **lot** in the IS zone is permitted on that **lot**, and:

- (A) any expansion or addition to the **lawfully existing place of worship building** must comply with Section 150.50 and the requirements for the IS zone; and
- (B) the **lawfully existing place of worship** may be replaced with a new **place of worship building** that complies with Section 150.50 and the requirements for the IS zone.

#### 80.40.20.10 Permitted Use

(1) Use - IS Zone

In the IS zone, the following uses are permitted:

**Municipal Shelter**

**Park**

**Private School**

**Public School**

**Recreation Use** [ By-law: 545-2019 ]

#### 80.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IS Zone

In the IS zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.40.20.100:

**Adult Education School** (5)

**Ambulance Depot** (6)

**Cogeneration Energy** (11)

**Community Centre** (2)

**Day Nursery** (1)

**Fire Hall** (7)

**Library** (3)

**Police Station** (8)

**Public Utility** (9) (10)

**Renewable Energy** (11)

**Secondary Suite** (13)

**Student Residence** (4)

**Transportation Use** (14) [ By-law: 545-2019 ]

#### 80.40.20.100 Conditions

(1) **Day Nursery**

In the IS zone, a **day nursery**:

- (A) may have an **interior floor area** no greater than 40% of the area of the first **storey** of the **building** on the **lot**; and
- (B) must be located in a **building** with a **private school** or, a **public school**; or
- (C) must be in a **building** that is or was originally constructed as a **public school**.
- (C) be in a **building** that is or was originally constructed as a **public school**; and [ By-law: 607-2015 Under Appeal ]
- (D) comply with the specific use regulations in Section 150.45. [ By-law: 607-2015 Under Appeal ]

(2) **Community Centre**

In the IS zone, a **community centre** must:

- (A) be on a **lot** that fronts on a major **street** on the Policy Areas Overlay Map; and
- (B) have a **gross floor area** no greater than 2500 square metres.

(3) **Library**

In the IS zone, a library:

- (A) must be operated by or on behalf of the City of Toronto;
- (B) must be on a **lot** that fronts on a major **street** on the Policy Areas Overlay Map; and
- (C) may have a **gross floor area** no greater than 1500 square metres.

(4) **Student Residence**

In the IS zone, a **student residence** must be in a **building** operated by a **public school** or **private school** that is on the same **lot**.

(5) **Adult Education School**

In the IS zone, an adult education school must be:

- (A) in a **building** that has a **private school** or **public school** or in a **building** that is or was originally constructed as a **private school** or **public school**; and
- (B) funded by the Provincial or Federal government for:
  - (i) adult English or French as a second language courses delivered by district school boards;
  - (ii) literacy and basic skills programming delivered by community agencies or district school boards;
  - (iii) credit courses for adults delivered by district school boards;
  - (iv) continuing education programs, including general interest courses, delivered by district school boards;
  - (v) adult Aboriginal language programs delivered by district school boards; or
  - (vi) Canadian citizenship preparation programs delivered by district school boards.

(6) **Ambulance Depot**

In the IS zone, an ambulance depot must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(7) **Fire Hall**

In the IS zone, a fire hall must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(8) **Police Station**

In the IS zone, a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or

(B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(9) Public Utility

In the IS zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; or
- (C) an above-ground water reservoir.

(10) Public Utility

In the IS zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the IS zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(11) Renewable Energy Production or Cogeneration Energy Production

In the IS zone, **renewable energy** production or **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.

(13) Secondary Suite

In the IS zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

(14) Transportation Use

A **building** or **structure** on a **lot** in the IS zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

## 80.40.30 Lot Requirements

### 80.40.30.10 Lot Area

(1) Minimum Lot Area

In the IS zone the required minimum **lot area** is 900 square metres.

### 80.40.30.20 Lot Frontage

(1) Minimum Lot Frontage

In the IS zone the required minimum **lot frontage** is 30.0 metres.

### 80.40.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the IS zone, if a **lot**:

- (A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; or
- (B) is not in an area with a numerical value on the Lot Coverage Overlay Map, the permitted maximum **lot coverage** is 35%.

## 80.40.40 Principal Building Requirements

### 80.40.40.10 Height

(1) Maximum Height

If a **lot** in a IS zone has:

- (A) a numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a **building or structure** on that **lot** is the numerical value following the letters 'HT' on the Height Overlay Map, in metres; or
- (B) no numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a **building or structure** on that **lot** is 14.0 metres.

(2) **Height of Buildings and Structures - Green Roof**

In the IS zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 1.5 metres.

#### 80.40.40.40 Floor Area

(1) **Floor Space Index**

In the IS zone, the permitted maximum floor space index is:

- (A) the numerical value following the zone symbol on the Zoning By-law Map; or
- (B) 0.7, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [ By-law: 0559-2014 (OMB PL130592) ] [ By-law: 1124-2018 ]

#### 80.40.40.70 Setbacks

(1) **Minimum Building Setbacks**

In the IS zone, the following required minimum **building setbacks** apply:

- (A) 7.5 metres from a **lot line** that abuts a **street**;
- (B) 7.5 metres from a **rear lot line**; and
- (C) 3.0 metres from a **side lot line**.

#### 80.40.50 Yards

##### 80.40.50.10 Landscaping

(1) **Landscaping on a Lot with a Public School, Private School**

In the IS zone, a **lot** with a **public school** or a **private school** is subject to the following:

- (A) a minimum 1.5 metre wide strip of **soft landscaping** must be provided along all **side lot lines** and **rear lot lines**; and
- (B) with the exception of areas used for play, **driveways**, parking, loading, and student drop-off and pick-up, a minimum 3.0 metre wide strip of **soft landscaping** must be provided along all **lot lines** abutting a **street**.

#### 80.40.60 Ancillary Buildings and Structures

##### 80.40.60.10 Location

(1) **Portable Classroom Buildings - Location**

In the IS zone, an portable classroom **building** may not be in a **front yard**.

##### 80.40.60.20 Setbacks

(1) **Ancillary Building or Structure to be Set Back from a Street**

In the IS zone, no part of an **ancillary building or structure** may be closer to a **lot line** that abuts a **street** than the main **building** on the **lot**.

(2) **Portable Classroom Buildings to be Set Back**



In the IS zone, a portable classroom **building** must be set back from a **side lot line** or **rear lot line** a distance equal to:

- (A) 7.5 metres if the **lot line** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; and
- (B) half the height of the portable classroom **building** in all other cases.

#### 80.40.60.40 Height

(1) Portable Classroom Buildings - Height

In the IS zone, a portable classroom **building** must be less than 4.0 metres in height.

#### 80.40.60.70 Lot Coverage

(1) Portable Classroom Buildings - Coverage

In the IS zone, in addition to complying with regulation 80.40.30.40(1), the **lot area** covered by portable classrooms may be no more than 50% of the **lot area** covered by the main school **building**.

#### 80.40.80 Parking

##### 80.40.80.1 General

(1) Parking Lots - Public School, Private School

In the IS zone:

- (A) an area used for the parking or storage of **vehicles** must be separated from any **lot line** that does not abut a **street** or **lane** by a minimum 1.5 metre wide strip of **soft landscaping**; and
- (B) if an area used for the parking or storage of **vehicles** is located in a yard that abuts a **lot** in the Residential Zone category, a fence must be installed along the entire portion of the **lot line** abutting that **lot**.

##### 80.40.80.10 Location

(1) Parking Space Location

In the IS zone, a **parking space** must be in a **side yard** or **rear yard**.

##### 80.40.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

In the IS zone, a **parking space** which is not in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

(2) Parking Area to be Set Back from a Lot in the Residential Zone Category

In the IS zone, an area used for the parking or storage of **vehicles** must be set back a minimum of 1.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category.

##### 80.40.80.40 Access to Parking Space

(1) Access to Parking Space

In the IS zone, **vehicle** access to a **parking space** may not be over a **lot** in the Residential Zone category or Residential Apartment Zone category.

#### 80.40.90 Loading

##### 80.40.90.1 General

(1) **Public School, Private School - Pick-Up / Drop-Off Areas**

For a **public school** or **private school** constructed on a **lot** in the IS zone pursuant to a building permit issued three years after May 9, 2013, a **vehicle** student pick-up and drop-off area must be provided on the same **lot**.

**80.40.90.10 Location**

(1) **Loading Space**

In the IS zone, a **loading space** must be on the **lot** in a **side yard** or **rear yard** that does not abut a **lot** in the Residential Zone category or Residential Apartment Zone category.

**80.40.90.40 Access to Loading Space**

(1) **Access to a Loading Space**

In the IS zone, **vehicle** access to a **loading space** may not be over a **lot** in the Residential Zone category or Residential Apartment Zone category.

**80.40.150 Waste**

**80.40.150.1 General**

(1) **Storage of Waste**

In the IS zone:

- (A) all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
- (B) the part of the **building** containing the waste and **recyclable material** must be at least 7.5 metres from a **lot** in the Residential Zone category or Open Space Zone category.

## 80.50 Institutional Place of Worship Zone (IPW)

### 80.50.1 General

#### 80.50.1.10 Interpretation

(1) Application of This Section

The regulations in Section 80.50 apply to all lands, uses, **buildings** and **structures** in the IPW zone.

### 80.50.2 Permitted Uses

#### 80.50.2.10 Permitted Use

(1) Use - IPW Zone

In the IPW zone, the following uses are permitted:

**Municipal Shelter**

**Park**

**Place of Worship**

**Religious Education Use**

**Religious Residence** [ By-law: 545-2019 ]

#### 80.50.2.20 Permitted Use - with Conditions

(1) Use with Conditions - IPW Zone

In the IPW zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.50.20.100:

Ambulance Depot (8)

**Cogeneration Energy** (13)

**Community Centre** (3)

**Day Nursery** (1)

**Dwelling Unit** (7)

Fire Hall (9)

Library (4)

**Place of Assembly** (2)

Police Station (10)

**Public Utility** (11) (12)

**Renewable Energy** (13)

**Retail Store** (6)

**Secondary Suite** (14)

**Transportation Use** (15) [ By-law: 545-2019 ]

#### 80.50.20.100 Conditions

(1) Day Nursery

In the IPW zone, a **day nursery**:

(A) must be in a **building** with a **place of worship**; and

(B) may have an **interior floor area** no greater than 50% of the **gross floor area** of the first **storey** of the **building**.

(B) may have an **interior floor area** no greater than 50% of the **gross floor area** of the first **storey** of the **building**; and [ By-law: 607-2015 Under Appeal ]

(C) must comply with the specific use regulations in Section 150.45. [ By-law: 607-2015 Under Appeal ]

(2) Place of Assembly

In the IPW zone, a **place of assembly** must be on a **lot** that has a minimum floor space index value of 6.0 or greater.

(3) **Community Centre**

In the IPW zone, a **community centre** must:

- (A) be on a **lot** that fronts on a major **street** on the Policy Areas Overlay Map; and
- (B) have a **gross floor area** that is no greater than 1500 square metres.

(4) **Library**

In the IPW zone, a library:

- (A) must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map; and
- (B) may have a **gross floor area** no greater than 400 square metres.

(6) **Retail Store**

In the IPW zone, a **retail store**:

- (A) must be associated with a **place of worship**; and
- (B) may not have an **interior floor area** exceeding 25 square metres.

(7) **Dwelling Unit**

In the IPW zone, a **place of worship** may have one **dwelling unit**, if:

- (A) the **dwelling unit** is **ancillary** to the **place of worship**;
- (B) the **lot** abuts a **lot** in the Residential Zone category, Residential Apartment Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category or Institutional Zone category; and
- (C) the **interior floor area** of the **dwelling unit** is no more than 250 square metres.

(8) **Ambulance Depot**

In the IPW zone, an ambulance depot must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(9) **Fire Hall**

In the IPW zone, a fire hall must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(10) **Police Station**

In the IPW zone, a police station must be on a **lot** that:

- (A) fronts on a major **street** on the Policy Areas Overlay Map; or
- (B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(11) **Public Utility**

In the IPW zone, a **public utility** may not be:

- (A) a sewage treatment plant;
- (B) a water filtration plant; and
- (C) an above-ground water reservoir.

(12) **Public Utility**

In the IPW zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the IPW zone if it is:

- (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
- (B) a natural gas regulator station.

(13) **Renewable Energy Production or Cogeneration Energy Production**

In the IPW zone, **renewable energy** production or **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.

(14) Secondary Suite

In the IPW zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

(15) Transportation Use

A **building** or **structure** on a **lot** in the IPW zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

### 80.50.30 Lot Requirements

#### 80.50.30.20 Lot Frontage

(1) Minimum Lot Frontage

The required minimum **lot frontage** in the IPW zone is 20.0 metres.

#### 80.50.30.40 Lot Coverage

(1) Maximum Lot Coverage

In the IPW zone, if a **lot**:

- (A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; or
- (B) is not in an area with a numerical value on the Lot Coverage Overlay Map, the permitted maximum **lot coverage** is 40%.

### 80.50.40 Principal Building Requirements

#### 80.50.40.10 Height

(1) Maximum Height

If a **lot** in the IPW zone is in an area that has:

- (A) a numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is the numerical value following the letters 'HT' on the Height Overlay Map, in metres; or
- (B) no numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is 15.0 metres.

(2) Height of Buildings and Structures - Green Roof

In the IPW zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 1.5 metres.

(3) Building Height - Architectural Elements

In the IPW zone, a minaret, steeple or similar architectural element on a **place of worship building** may exceed the permitted maximum height of the **building** by 40%, if the horizontal area of the minaret, steeple or similar architectural element is no more than 30.0 square metres.

#### 80.50.40.11 Height Exemptions

(1) Lawfully Existing Place of Worship - Building Height - Architectural Elements

In the IPW zone, if a **lawfully existing place of worship** has a **lawful** architectural element such as a minaret, steeple or similar architectural element that exceeds the permitted maximum height for a **building**, the permitted maximum height for that architectural element is its **lawful** height, for that **lawfully existing place of worship**.

#### 80.50.40.40 Floor Area

(1) **Floor Space Index**

In the IPW zone, the permitted maximum floor space index is:

- (A) the numerical value following the zone symbol on the Zoning By-law Map; or
- (B) 0.8, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [ By-law: 0559-2014 (OMB PL130592) ] [ By-law: 1124-2018 ]

#### 80.50.40.60 Permitted Encroachments

(1) **Encroachments into a Front Yard or Side Yard Abutting a Street**

In the IPW zone, a platform without **main walls** such as a porch, a canopy, exterior stairs, pedestrian access ramp or an elevating device, may encroach into a **front yard** or a **side yard** abutting a **street**, if no part is more than 2.0 metres from the **main wall**.

#### 80.50.40.70 Setbacks

(1) **Minimum Front Yard Setback**

In the IPW zone, the required minimum **building setback** from a **front lot line** is:

- (A) 3.0 metres if the **street** is a major **street** on the Policy Areas Overlay Map; and
- (B) for all other **streets**, the greater of:
  - (i) 7.5 metres; or
  - (ii) a distance equal to half the height of the **building**.

(2) **Minimum Side Yard Setback**

In the IPW zone, the required minimum **building setback** from a **side lot line** that does not abut a **street** is the greater of:

- (A) 3.0 metres; or
- (B) the distance equal to half the height of the **building**.

(3) **Minimum Side Yard Setback from a Street**

In the IPW zone, the required minimum **building setback** from a **side lot line** that abuts a **street** is the greater of:

- (A) 6.0 metres; or
- (B) the distance equal to half the height of the **building**.

(4) **Minimum Rear Yard Setback**

In the IPW zone, the required minimum **rear yard setback** is the greater of:

- (A) 7.5 metres; or
- (B) the distance equal to half the height of the **building**.

#### 80.50.50 Yards

##### 80.50.50.10 Landscaping

(1) **Front Yard Landscaping**

Despite regulation 5.10.50.10(1), in the IPW zone, all parts of the **front yard** not used as a **driveway** must be **landscaping**, and a minimum of 75% of the required **landscaping** must be **soft landscaping**.

(2) **Abutting the Residential Zone Category or Residential Apartment Zone Category**

A **lot** in the IPW zone abuts that a **lot** in the Residential Zone category or Residential Apartment Zone category must have a minimum 1.5 metre wide strip of **soft landscaping** along the entire length of the part of the **lot line** abutting that **lot**.

#### 80.50.60 Ancillary Buildings and Structures

##### 80.50.60.20 Setbacks

(1) Ancillary Building or Structure to be Set Back from the Street

In the IPW zone, an **ancillary building** or **structure** may be no closer to a **lot line** that abuts a **street** than the main **building** on the **lot**.

(2) Side Yard Setback and Rear Yard Setback - Ancillary Buildings and Structures

In the IPW zone, an **ancillary building** and **structure** must be set back from a **rear lot line** or **side lot line** the greater of:

(A) 1.5 metres; or

(B) half the height of the **ancillary building** or **structure**.

##### 80.50.60.70 Lot Coverage

(1) Lot coverage - Ancillary Buildings and Structures

In the IPW zone, a maximum of 15% of the **lot area** may be covered by **ancillary buildings** and **structures**.

#### 80.50.80 Parking

##### 80.50.80.10 Location

(1) Parking Space Location Restriction

In the IPW zone, a **parking space** may not be in a **front yard**.

##### 80.50.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

A **parking space** which is not in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

##### 80.50.80.40 Access to Parking Space

(1) Access to Parking Space

In the IPW zone, **vehicle** access to a **parking space** may not be over any **lot** in the Residential Zone category or Residential Apartment Zone category.

#### 80.50.150 Waste

##### 80.50.150.1 General

(1) Waste Storage

In the IPW zone, all waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **building** is constructed pursuant to a building permit issued more than three years after May 9, 2013.

## Chapter 90 Open Space

### 90.5 Regulations Applying to the Open Space Zone Category

#### 90.5.1 General

##### 90.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 90.5 apply to all lands, uses, **buildings** and **structures** in the Open Space Zone category.

(2) Interpretation of the Open Space Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Open Space Zone category consists of the letters O, ON, OR, OG, OM or OC, indicating the primary land use permitted in the respective zone.

#### 90.5.20 Permitted Uses

##### 90.5.20.1 General

(1) Lawfully Existing Public School, Private School

A **lawfully existing public school** or **private school** on a **lot** in the Open Space Zone category is permitted on that **lot**, and:

- (A) any expansion or addition to the **lawfully existing public school** or **private school building** must comply with Section 150.48 and the requirements for the zone in which the **lot** is located; and
- (B) the **lawfully existing public school** or **private school** may be replaced with a new school **building** that complies with Section 150.48 and the requirements for the zone in which the **lot** is located.

#### 90.5.40 Principal Building Requirements

##### 90.5.40.1 General

(1) Building Requirements

Additional **building** requirements are in each zone in the Open Space Zone category.

##### 90.5.40.10 Height

(1) Determining the Height of Buildings or Structures

In the Open Space Zone category, the height of a **building** or **structure** is the distance between **average grade** and the elevation of the highest point of that **building** or **structure**.

(2) Height of Specific Structures on a Building

In the Open Space Zone category, the following **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by:

- (A) 1.5 metres for:
  - (i) parapets for a **green roof**; and
  - (ii) weather vanes; or
- (B) 5.0 metres for:
  - (i) antennae;
  - (ii) flagpoles; and
  - (iii) satellite dishes.



(3) Height of Elements for Functional Operation of a Building

In the Open Space Zone category, the following equipment and **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres, subject to regulation 90.5.40.10(4):

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above.

(4) Height - Horizontal Limits on Elements for Functional Operation of a Building

In the Open Space Zone category, equipment, **structures** or parts of a **building** that exceed the permitted maximum height for a **building** in regulation 90.5.40.10(3), must comply with the following:

- (A) their total area may cover no more than 30% of the area of the roof, measured horizontally; and
- (B) if located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(5) Height of Rooftop Amenity Space Safety and Wind Protection

In the Open Space Zone category, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

#### 90.5.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

In the Open Space Zone category, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height for a **building** or **structure**, that **lawful** height is the permitted maximum height for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 90.5.40.11(1) must comply with the permitted maximum height for a **building** or be authorized by a Section 45 Planning Act minor variance.

(3) Alterations to the Roof of Lawfully Existing Buildings

Any alteration to the roof of a **lawfully existing building** referred to in regulation 90.5.40.11(1) may be constructed to the permitted maximum height in regulation 90.5.40.11(1).

#### 90.5.40.40 Floor Area

(1) Floor Space Index Calculation

In the Open Space Zone category, the floor space index is the result of the **gross floor area** of a **building** divided by the area of the **lot**.

#### 90.5.40.41 Floor Area Exemptions

(1) Permitted Gross Floor Area for Lawfully Existing Buildings

In the Open Space Zone category, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** is greater than the permitted maximum **gross floor area**, the **lawful gross floor area** of those **lawfully existing buildings** is the permitted maximum **gross floor area** for those **lawfully existing buildings** on that **lot**.

(2) Permitted Floor Space Index for Lawfully Existing Buildings

In the Open Space Zone category, if the **lawful gross floor area** of **lawfully existing buildings** on a **lot** results in a floor space index greater than the permitted maximum floor space index, the **lawful** floor space index of those **lawfully existing buildings** is the permitted maximum floor space index for those **lawfully existing buildings** on that **lot**.

#### 90.5.40.60 Permitted Encroachments

(1) Canopies and Awnings

In the Open Space Zone category, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required minimum **building setback** that abuts a **street**, if no part of the canopy, awning or similar **structure** is located more than 5.0 metres above the elevation of the ground directly below it.

#### 90.5.40.70 Setbacks

(1) Building or Structure to be Set Back from a Lane

A **building** or **structure** in the Open Space Zone category may be no closer than 2.5 metres from the original centreline of a **lane**.

#### 90.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the Open Space Zone category, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

- (A) a **front lot line**, that **lawful building setback** is the required minimum **front yard setback** for that **lawfully existing building** or **structure**;
- (B) a **rear lot line**, that **lawful building setback** is the required minimum **rear yard setback** for that **lawfully existing building** or **structure**; and
- (C) a **side lot line**, that **lawful building setback** is the required minimum **side yard setback** for that **lawfully existing building** or **structure**.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 90.5.40.71(1) must comply with the required minimum **building setbacks** or be authorized by a Section 45 Planning Act minor variance.

(3) Permitted Setbacks for Lawfully Existing Building from a Lane

In the Open Space Zone category, if the **lawful** distance of a **lawfully existing building** or **structure** from the original centreline of a **lane** is less than the required minimum distance from the original centreline of the **lane**, that **lawful** distance is the minimum distance from the original centreline of the **lane** for that **lawfully existing building** or **structure**.

(4) Additions Above Lawfully Existing Buildings in Relation to a Lane

The required minimum distance from the original centreline of a **lane** for any addition or extension above a **lawfully existing building** or **structure** referred to in regulation 90.5.40.71(3) is the required minimum distance from the original centreline of the **lane** permitted by regulation 90.5.40.71(3).

#### 90.5.75 Energy Regulations

##### 90.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device - Location Restriction

In the Open Space Zone category, a device producing **renewable energy** or **cogeneration energy** may be no closer to a **lot line** than the greater of:

- (A) 10 metres;
- (B) the minimum **building setback** requirements; or
- (C) a distance equal to the height of the device, measured between the **average grade** at its base to the elevation of the highest part of the device.

(2) Renewable Energy Device - Height Requirements

In the Open Space Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

- (A) on a **building**:
  - (i) must comply with the required minimum **building setbacks** for a **building** on the **lot**; and

- (ii) no part of the device may be higher than 3.0 metres above the permitted maximum height for the **building**; and
  - (B) ground mounted, no part of the device may be more than 5.0 metres above the **average grade** at the base of the device.
- (3) Wind Energy Device - Setbacks  
In the Open Space Zone category, no part of a **wind energy** device may be closer to a **lot line** than the greater of:
- (A) the required minimum **building setbacks** for a **building** on the **lot**; or
  - (B) a distance equal to two times the height of the device, measured between the **average grade** at its base to the elevation of the highest part of the device.
- (4) Wind Energy Device - Height  
In the Open Space Zone category, no part of a **wind energy** device may be more than 15.0 metres above the **average grade** at the base of the device.
- (5) Geo-energy Requirements  
In the Open Space Zone category, any above-ground part of a **geo-energy** device:
- (A) must be set back at least 10.0 metres from any **lot line**; and
  - (B) must comply with the requirements for a **building** or **structure**, other than a required minimum **building setback** less than the requirement in (A) above.
- (6) Cogeneration Device  
In the Open Space Zone category, a **cogeneration energy** device must be inside a permitted **building**.

## 90.5.80 Parking

### 90.5.80.1 General

- (1) Use of Required Parking Space  
A **parking space** required by this By-law for a use in the Open Space Zone category must be available for the use for which it is required.

### 90.5.80.10 Location

- (2) Location of Required Parking Spaces  
A **parking space** must be on the same **lot** as the use for which the **parking space** is required.

## 90.10 Open Space Zone (O)

### 90.10.1 General

#### 90.10.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.10 apply to all lands, uses, **buildings** and **structures** in the O zone.

#### 90.10.20 Permitted Uses

##### 90.10.20.10 Permitted Use

(1) Use - O Zone

The following uses are permitted in the O zone:

**Park**

**Public Utility**

**Transportation Use .**

##### 90.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions - O Zone

The following uses are permitted in the O zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.10.20.100:

**Club (1)**

**Cogeneration Energy (2)**

**Education Use (1)**

**Recreation Use (1)**

**Renewable Energy (2)**

##### 90.10.20.100 Conditions

(1) Club, Education Use or Recreation Use

In the O zone, a **club**, an **education use** or a **recreation use** may not be in a **building**.

(2) Cogeneration Energy Production or Renewable Energy Production

In the O zone, **cogeneration energy** production or **renewable 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.

### 90.10.40 Principal Building Requirements

#### 90.10.40.10 Height

(1) Maximum Height

The permitted maximum height of a **building** or **structure** in the O zone is 4.0 metres.

#### 90.10.40.11 Height Exemptions

(1) Height Exemptions

Regulation 90.10.40.10(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum **building** height is no greater than 10.5 metres. [103-2016] [ By-law: 1031-2014 ]

#### 90.10.40.40 Floor Area

(1) Maximum Floor Area

In the O zone, the permitted maximum **gross floor area** of a **building** is 50.0 square metres.

#### 90.10.40.41 Floor Area Exemptions

(1) Floor Area Exemptions

Regulation 90.10.40.40(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the lot. [103-2016] [ By-law: 1031-2014 ]

#### 90.10.40.70 Setbacks

(1) Building Setbacks

For a **building** or **structure** in the O zone, the required minimum **building setback** from a **front lot line**, a **rear lot line** and a **side lot line** is:

- (A) 1.5 metres, if its height is 2.0 metres or less; and
- (B) 3.0 metres, if its height is greater than 2.0 metres.

#### 90.10.40.71 Setbacks Exemptions

(1) Setback Exemptions

Regulation 90.10.40.70(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the setbacks are between 0 and 15 metres. [103-2016] [ By-law: 1031-2014 ]

## 90.20 Open Space - Natural Zone (ON)

### 90.20.1 General

#### 90.20.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.20 apply to all lands, uses **buildings** and **structures** in the ON zone.

### 90.20.20 Permitted Uses

#### 90.20.20.10 Permitted Use

(1) Use - ON Zone

The following uses are permitted in the ON zone:

Ambulance Depot

**Agricultural Use**

Fire Hall

**Park**

Police Station

**Public Utility**

**Transportation Use .**

#### 90.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - ON Zone

The following uses are permitted in the ON zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.20.20.100:

**Club** (1)

**Cogeneration Energy** (2)

**Education Use** (1)

**Entertainment Place of Assembly** (1)

**Place of Assembly** (1)

**Recreation Use** (1)

**Renewable Energy** (2)

**Retail Store** (3)

**Stable** (4)

#### 90.20.20.100 Conditions

(1) Club, Education Use, Entertainment Place of Assembly, Place of Assembly, or Recreation Use

In the ON zone, a **club**, an **education use**, an **entertainment place of assembly**, a **place of assembly**, or a **recreation use**:

(A) must be combined with a **park** or an **agricultural use**; and

(B) may not be in a wholly enclosed **building**.

(2) Cogeneration Energy Production or Renewable Energy Production

In the ON zone, **cogeneration energy** production or **renewable 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.

(3) Retail Store

In the ON zone, a **retail store**:

(A) must be associated with an **agricultural use** on the same **lot**; and

(B) may not be in a wholly enclosed **building**.

(4) Stable

In the ON zone, a **stable** must be in association with a **park** or an **agricultural use**.

## 90.20.40 Principal Building Requirements

### 90.20.40.1 General

(1) Application of this Article

The regulations in Article 90.20.40 apply to all **buildings** or **structures** in the ON zone, except for conservation works, **public utilities** and **transportation uses**.

### 90.20.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the ON zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

### 90.20.40.11 Height Exemptions

(1) Height Exemptions

Regulation 90.20.40.10(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum **building** height is no greater than 10.5 metres. [103-2016] [ By-law: 1031-2014 ]

### 90.20.40.40 Floor Area

(1) Maximum Gross Floor Area

The permitted maximum **gross floor area** for a **building** in the ON zone is 500 square metres.

### 90.20.40.41 Floor Area Exemptions

(1) Floor Area Exemptions

Regulation 90.20.40.40(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the lot. [103-2016] [ By-law: 1031-2014 ]

### 90.20.40.70 Setbacks

(1) Building Setbacks

In the ON zone, the required minimum **building setback** from a **front lot line**, a **rear lot line** and a **side lot line** is 3.0 metres.

### 90.20.40.71 Setbacks Exemptions

(1) Setback Exemptions

Regulation 90.20.40.70(1) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 15 metres. [103-2016] [ By-law: 1031-2014 ]

## **90.30 Open Space - Recreation Zone (OR)**

### **90.30.1 General**

#### **90.30.1.10 Interpretation**

(1) Application of this Section

The regulations in Section 90.30 apply to all lands, uses, **buildings** and **structures** in the OR zone.

### **90.30.20 Permitted Uses**

#### **90.30.20.10 Permitted Use**

(1) Use - OR Zone

The following uses are permitted in the OR zone:

Ambulance Depot  
**Art Gallery**  
**Community Centre**  
**Day Nursery**  
**Entertainment Place of Assembly**  
Fire Hall  
Library  
**Municipal Shelter**  
**Museum**  
**Park**  
**Place of Assembly**  
Police Station  
**Public Utility**  
**Recreation Use**  
**Sports Place of Assembly**  
**Transportation Use** [ By-law: 545-2019 ]

#### **90.30.20.20 Permitted Use - with Conditions**

(1) Use with Conditions - OR Zone

The following uses are permitted in the OR zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.30.20.100:

**Amusement Arcade** (1)  
**Club** (1)  
**Cogeneration Energy** (2)  
**Eating Establishment** (3)  
**Education Use** (1)  
**Outdoor Patio** (5)  
**Personal Service Shop** (3)  
**Public Works Yard** (6)  
**Renewable Energy** (2)  
**Retail Store** (3)  
**Service Shop** (3)  
**Stable** (1)  
**Take-out Eating Establishment** (3) [ By-law: 545-2019 ]

#### **90.30.20.100 Conditions**



(1) Amusement Arcade, Club, Education Use, or Stable

In the OR zone, an **amusement arcade**, a **club**, an **education use**, or a **stable** must be combined with a use permitted in regulation 90.30.20.10(1).

(2) Cogeneration Energy Production or Renewable Energy Production

In the OR zone, **cogeneration energy** production or **renewable 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.

(3) Eating Establishment, Personal Service Shop, Retail Store, Service Shop, or Take-out Eating Establishment

In the OR zone, an **eating establishment**, a **personal service shop**, a **retail store**, a **service shop**, or a **take-out eating establishment**:

- (A) must be combined with a use permitted in regulation 90.30.20.10(1); and
- (B) the **interior floor area** may be no greater than 500 square metres.

(5) Outdoor Patio

In the OR zone, an **outdoor patio** with an **eating establishment**:

- (A) may be no closer than 10.0 metres from a **lot** in the Residential Zone category or the Residential Apartment Zone category;
- (B) despite (A) above, if the **outdoor patio** is above the first **storey** of the **building**, it may be no closer than 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or the Residential Apartment Zone category; and
- (C) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (A) or (B) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**.

(6) Public Works Yard

A **public works yard** in the OR zone is subject to the following:

- (A) it must be in association with a **park** or a **recreation use**; and
- (B) **open storage** areas for a **public works yard** must be fenced.

## 90.30.40 Principal Building Requirements

### 90.30.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the OR zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

### 90.30.40.70 Setbacks

(1) Front Yard Setbacks

In the OR zone, if a **lot** is:

- (A) beside one **lot** that has a **building** fronting on the same **street** and that **building** is, in whole or in part, 15.0 metres or less from the **building** on the subject **lot**, the required minimum **front yard setback** is the **front yard setback** of that **building** on the abutting **lot**;
- (B) between two abutting **lots**, each with a **building** fronting on the same **street** and those **buildings** are both, in whole or in part, 15.0 metres or less from the **building** on the subject **lot**, the required minimum **front yard setback** is the average of the **front yard setbacks** of those **buildings** on the abutting **lots**; and
- (C) in all other cases, the required minimum **front yard setback** is 6.0 metres.

(2) Rear Yard Setback and Side Yard Setback

In the OR zone, the required minimum **rear yard setback** and **side yard setback** is:

- (A) a distance equal to the height of the **building** to a maximum of 15.0 metres, if a **lot** abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category; and
- (B) 3.0 metres in all other cases.

(3) Building Setbacks for Smaller Buildings or Structures

Despite regulations 90.30.40.70(1) and (2), in the OR zone, the required minimum **building setback** from a **front lot line**, a **rear lot line** and a **side lot line** is 1.5 metres, if:

- (A) the height of the **building** or **structure** is 2.0 metres or less; and
- (B) its **gross floor area** is 50.0 square metres or less.

## 90.40 Open Space - Golf Course Zone (OG)

### 90.40.1 General

#### 90.40.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.40 apply to all lands, uses, **buildings** and **structures** in the OG zone.

### 90.40.20 Permitted Uses

#### 90.40.20.10 Permitted Use

(1) Use - OG Zone

The following uses are permitted in the OG zone:

Ambulance Depot

Golf Course

Fire Hall

**Park**

Police Station

**Public Utility**

**Transportation Use**

#### 90.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions - OG Zone

The following uses are permitted in the OG zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.40.20.100:

**Amusement Arcade** (1)

**Club** (2)

**Cogeneration Energy** (3)

**Eating Establishment** (2)

**Education Use** (2)

**Outdoor Patio** (4)

**Personal Service Shop** (5)

**Place of Assembly** (2)

**Recreation Use** (2)

**Renewable Energy** (3)

**Retail Store** (5)

**Service Shop** (5)

**Take-out Eating Establishment** (5)

#### 90.40.20.100 Conditions

(1) Amusement Arcade

In the OG zone, an **amusement arcade**:

(A) must be combined with a **park** or a golf course; and

(B) may have no more than 12 **amusement devices**.

(2) Club, Eating Establishment, Education Use, Place of Assembly, or Recreation Use

In the OG zone, a **club**, an **eating establishment**, an **education use**, a **place of assembly**, or a **recreation use** must be combined with a **park** or a golf course.

(3) Cogeneration Energy Production or Renewable Energy Production

In the OG zone, **cogeneration energy** production or **renewable 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.

(4) Outdoor Patio

An **outdoor patio** in the OG zone:

- (A) may be no closer than 10.0 metres from a **lot** in the Residential Zone category or the Residential Apartment Zone category;
- (B) despite (A) above, if the **outdoor patio** is above the first **storey** of the **building**, it may be no closer than 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or the Residential Apartment Zone category; and
- (C) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (A) or (B) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**.

(5) Personal Service Shop, Retail Store, Service Shop, or Take-out Eating Establishment

In the OG zone, a **personal service shop**, a **retail store**, a **service shop**, or a **take-out eating establishment**:

- (A) must be combined with a **park** or a golf course; and
- (B) the **interior floor area** may be no greater than 500 square metres. [ By-law: 1774-2019 ]

## 90.40.40 Principal Building Requirements

### 90.40.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the OG zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

### 90.40.40.40 Floor Area

(1) Floor Space Index

In the OG zone, the permitted maximum floor space index is 0.15.

### 90.40.40.70 Setbacks

(1) Building Setbacks

In the OG zone, the required minimum **building setback** from a **front lot line**, **rear lot line** and **side lot line** is the greater of:

- (A) 7.5 metres; or
- (B) a distance equal to the height of the **building** or **structure**.

## 90.50 Open Space - Marina Zone (OM)

### 90.50.1 General

#### 90.50.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.50 apply to all lands, uses, **buildings** and **structures** in the OM zone.

### 90.50.20 Permitted Uses

#### 90.50.20.10 Permitted Use

(1) Use - OM Zone

The following uses are permitted in the OM zone:

Ambulance Depot

Fire Hall

Marina

**Park**

Police Station

**Public Utility**

**Transportation Use**

#### 90.50.20.20 Permitted Use - with Conditions

(1) Use with Conditions - OM Zone

The following uses are permitted in the OM zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.50.20.100:

**Amusement Arcade** (1)

**Club** (2)

**Cogeneration Energy** (3)

**Eating Establishment** (2)

**Education Use** (2)

**Outdoor Patio** (4)

**Personal Service Shop** (5)

**Place of Assembly** (2)

**Recreation Use** (2)

**Renewable Energy** (3)

**Retail Store** (5)

**Service Shop** (5)

**Take-out Eating Establishment** (5)

#### 90.50.20.100 Conditions

(1) Amusement Arcade

In the OM zone, an **amusement arcade**:

(A) must be combined with a **park** or a marina; and

(B) may have no more than 12 **amusement devices**.

(2) Club, Eating Establishment, Education Use, Place of Assembly, or Recreation Use

In the OM zone, a **club**, an **eating establishment**, an **education use**, a **place of assembly**, or a **recreation use** must be combined with a **park** or a marina.

(3) Cogeneration Energy Production or Renewable Energy Production

In the OM zone, **cogeneration energy** production or **renewable 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.

(4) Outdoor Patio

In the OM zone, an **outdoor patio** combined with an **eating establishment** is subject to the following:

- (A) the **outdoor patio** must not be used for entertainment purposes such as listening to, watching or performing, music and dancing;
- (B) the **outdoor patio** may be no closer than 10.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (C) despite (B) above, if the **outdoor patio** is above the first **storey** of the **building**, it may be no closer than 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category; and
- (D) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (B) or (C) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**.

(5) Personal Service Shop, Retail Store, Service Shop, or Take-out Eating Establishment

In the OM zone, a **personal service shop**, a **retail store**, a **service shop**, or a **take-out eating establishment**:

- (A) must be combined with a **park** or a marina; and
- (B) the **interior floor area** may be no greater than 500 square metres.

## 90.50.40 Principal Building Requirements

### 90.50.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the OM zone is:

- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

### 90.50.40.40 Floor Area

(1) Floor Space Index

In the OM zone, the permitted maximum floor space index is 0.15.

### 90.50.40.70 Setbacks

(1) Building Setbacks

In the OM zone:

- (A) the required minimum **building setback** from a **front lot line**, **rear lot line** and **side lot line** is the greater of:
  - (i) 7.5 metres; or
  - (ii) a distance equal to the height of the **building** or **structure**; and
- (B) despite (A) above, no **building setback** is required from a **lot line** that is:
  - (i) at the shoreline of Lake Ontario; or
  - (ii) in Lake Ontario.

## 90.70 Open Space - Cemetery Zone (OC)

### 90.70.1 General

#### 90.70.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.70 apply to all lands, uses, **buildings** and **structures** in the OC zone.

### 90.70.2 Permitted Uses

#### 90.70.2.10 Permitted Use

(1) Use - OC Zone

The following uses are permitted in the OC zone:

Ambulance Depot

**Cemetery**

Fire Hall

Police Station

**Public Utility**

**Transportation Use**

#### 90.70.2.20 Permitted Use - with Conditions

(1) Use with Conditions - OC Zone

The following uses are permitted in the OC zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.70.20.100:

**Cogeneration Energy (1)**

**Funeral Visitation Centre (2)**

Office (3)

**Renewable Energy (1)**

**Retail Store (3)**

#### 90.70.20.100 Conditions

(1) Cogeneration Energy Production or Renewable Energy Production

In the OC zone, **cogeneration energy** production or **renewable 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.

(2) Funeral Visitation Centre

In the OC zone, a **funeral visitation centre** must be combined with a **cemetery**.

(3) Office or Retail Store

In the OC zone, an office or a **retail store** must be in association with a **cemetery** or a **funeral visitation centre**.

### 90.70.40 Principal Building Requirements

#### 90.70.40.10 Height

(1) Maximum Height

The permitted maximum height for a **building** or **structure** on a **lot** in the OC zone is:

(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or

(B) if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

#### 90.70.40.40 Floor Area

(1) Floor Space Index

In the OC zone, the permitted maximum floor space index is 0.15.

#### 90.70.40.70 Setbacks

(1) Building Setbacks

In the OC zone, the required minimum **building setback** from a **front lot line**, **rear lot line** and **side lot line** is the greater of:

- (A) 7.5 metres; or
- (B) a distance equal to the height of the **building** or **structure**; and
- (C) despite (A) and (B) above, for a monument with a height of 3.0 metres or less the required minimum **front yard setback**, **rear yard setback** and **side yard setback** is 0.9 metres.

#### 90.70.40.80 Separation

(1) Separation of Columbarium or Mausoleum from a Lot in Specified Zone Categories

A **columbarium** or a **mausoleum** may be no closer to a **lot** in the Residential Zone category or Residential Apartment Zone category than:

- (A) 7.5 metres, if its:
  - (i) height is 2.0 metres or less; and
  - (ii) volume is 15.0 cubic metres or less; and
- (B) 30.0 metres, in all other cases.

(2) Separation of Columbarium or Mausoleum from a Lot in Other Specified Zone Categories

A **columbarium** or a **mausoleum** may be no closer to a **lot** that is not in the Residential Zone category or Residential Apartment Zone category than the greater of:

- (A) 7.5 metres; or
- (B) a distance equal to its height.

#### 90.70.40.81 Separation Exemptions

(1) Permitted Separation from Other Zones for Lawfully Existing Columbarium or Mausoleum

In the OC zone, if the **lawful** separation distance between a **lawfully existing columbarium** or **mausoleum** and a **lot** is less than the required minimum separation distance, that **lawful** separation distance is the minimum separation distance between that **lawfully existing columbarium** or **mausoleum** and that **lot**.

(2) Additions to Lawfully Existing Columbarium or Mausoleum - Separation from Other Zones

Any addition or extension to a **lawfully existing columbarium** or **mausoleum** referred to in regulation 90.70.40.81(1) must comply with the required minimum separation distance from a **lot** or be authorized by a Section 45 Planning Act minor variance.



## Chapter 100 Utility and Transportation

### 100.5 Regulations Applying to the Utility and Transportation Zone Category

#### 100.5.1 General

##### 100.5.1.10 Interpretation

(1) Application of this Section

The regulations in Section 100.5 apply to all lands, uses, **buildings** and **structures** in the Utility and Transportation Zone category.

(2) Interpretation of the Utility and Transportation Zone Symbol

The zone symbol on the Zoning By-law Map for zones in the Utility and Transportation Zones category consists of the letters UT, indicating the primary land use permitted in the zone.

#### 100.5.75 Energy Regulations

##### 100.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device - Location Restriction

In the Utility and Transportation Zone category, a device producing **renewable energy** or **cogeneration energy** may be no closer to a **lot line** than the greater of:

- (A) 10 metres;
- (B) the required minimum **building setbacks** for a **building** on the **lot**; or
- (C) a distance equal to the height of the device, measured between **average grade** at its base to the elevation of the highest part of the device.

(2) Renewable Energy Device - Height Requirements

In the Utility and Transportation Zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device that is:

- (A) on a **building**:
  - (i) must comply with the minimum **building setbacks** for a **building** on the **lot**; and
  - (ii) no part of the device may be higher than 3.0 metres above the permitted maximum height for the **building**; and
- (B) ground mounted, no part of the device may be more than 5.0 metres above **average grade** at the base of the device.

(3) Wind Energy Device - Building Setbacks

In the Utility and Transportation Zone category, no part of a **wind energy** device may be closer to a **lot line** than the greater of:

- (A) the required minimum **building setbacks** for a **building** on the **lot**; or
- (B) a distance equal to two times the height of the device, measured between **average grade** at its base to the elevation of the highest part of the device.

(4) Wind Energy Device - Height

In the Utility and Transportation Zone category, no part of a **wind energy** device may be more than 15.0 metres above **average grade** at the base of the device.

(5) Geo-energy Requirements

In the Utility and Transportation Zone category, any above-ground part of a **geo-energy** device:

- (A) must be set back at least 10.0 metres from any **lot line**; and

(B) must comply with the requirements for a **building** or **structure**, other than a required minimum **building setback** which is less than the requirement in (A) above.

(6) Cogeneration Device

In the Utility and Transportation Zone category, a **cogeneration energy** device that is closer than 30 metres from a **lot** in the Residential Zone category or the Residential Apartment Zone category must be inside a permitted **building**.

## **100.5.80 Parking**

### **100.5.80.1 General**

(1) Use of Required Parking Space

A **parking space** required by this By-law for a use in the Utility and Transportation Zone category must be available for the use for which it is required.

### **100.5.80.10 Location**

(1) Location of Required Parking Spaces

A **parking space** must be on the same **lot** as the use for which the **parking space** is required.

## 100.10 Utility and Transportation Zone (UT)

### 100.10.1 General

#### 100.10.1.5 Interpretation

(1) Application of this Section

The regulations in Section 100.10 apply to all lands, **buildings** and **structures** in the UT zone.

### 100.10.20 Permitted Uses

#### 100.10.20.10 Permitted Use

(1) Use - UT Zone

The following uses are permitted in the UT zone:

Ambulance Depot

**Market Garden**

Fire Hall

**Park**

Police Station

**Public Utility**

**Transportation Use**

#### 100.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions - UT Zone

The following uses are permitted in the UT zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 100.10.20.100:

**Cogeneration Energy** (1)

**Open Storage** (2)

**Public Parking** (3)

**Public Works Yard** (4)

**Recreation Use** (5)

**Renewable Energy** (1)

**Vehicle Depot** (6)

#### 100.10.20.100 Conditions

(1) Cogeneration Energy Production or Renewable Energy Production

In the UT zone, **cogeneration energy** production or **renewable 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.

(2) Open Storage

In the UT zone, **open storage** for a **public utility** or **transportation use** must be at least 100 metres from a **lot** in the Residential Zone category, the Residential Apartment Zone category or the Commercial Residential Employment Zone category, or a **lot** in a CR zone where the "r" value in the zone label is greater than 0.0.

(3) Public Parking

**Public parking** in the UT zone must be in association with:

(A) a **transportation use** that is provided by, or on behalf of the City of Toronto, Province of Ontario or Government of Canada; or

(B) a **park**.

(4) Public Works Yard

In the UT zone, a **public works yard** must be at least 100 metres from a **lot** in the Residential Zone category, the Residential Apartment Zone category or the Commercial Residential Employment Zone category, or a **lot** in a CR zone where the "r" value in the zone label is greater than 0.0.

(5) Recreation Use

In the UT zone, a **recreation use** must not be in a **building**.

(6) Vehicle Depot

In the UT zone, a **vehicle depot** must be:

- (A) in association with a **public utility** or a **transportation use**; and
- (B) at least 100 metres from a **lot** in the Residential Zone category, the Residential Apartment Zone category or the Commercial Residential Employment Zone category, or a **lot** in a CR zone where the "r" value in the zone label is greater than 0.0.

## 100.10.40 Principal Building Requirements

### 100.10.40.80 Separation

(1) Separation of Buildings or Structures for the Treatment of Sewage from Specified Zones

In the UT zone, a **building** or **structure** used for the treatment of sewage must be at least 100 metres from a **lot** in the Residential Zone category, the Residential Apartment Zone category or the Commercial Residential Employment Zone category, or a **lot** in a CR zone where the "r" value in the zone label is greater than 0.0.

### 100.10.40.81 Separation Exemptions

(1) Permitted Separation from Other Zones for Lawfully Existing Buildings or Structures

In the UT zone, if the **lawful** separation distance between a **lawfully existing building** or **structure** and a **lot** is less than the required minimum separation distance, that **lawful** separation distance is the minimum separation distance between that **lawfully existing building** or **structure** and that **lot**.

(2) Additions to Lawfully Existing Buildings or Structures - Separation from Other Zones

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 100.10.40.81(1) must comply with the required minimum separation distance from a **lot** or be authorized by a Section 45 Planning Act minor variance.

## 100.10.80 Parking

### 100.10.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line

A **parking space** that is not in a **building** or **structure** must be at least 0.5 metres from a **lot line**.

## Chapter 150 Specific Use Regulations

### 150.5 Home Occupation

#### 150.5.1 General

(1) Application of this Section

The regulations in Section 150.5 apply to **home occupations**.

#### 150.5.20 Use Requirements

##### 150.5.20.1 General

(1) Home Occupation - Uses Not Permitted

A **home occupation** may not:

- (A) sell, rent or lease physical goods directly from the **dwelling unit**;
- (B) be a **personal service shop**;
- (C) be an office or medical office for a professional regulated under the College of Physicians and Surgeons of Ontario;
- (D) be an office or medical office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended;
- (E) be an **animal shelter** or **kennel**;
- (F) be a **vehicle repair shop**, a **vehicle service shop**, or a **vehicle washing establishment**; or
- (G) be a **manufacturing use**.

(2) Home Occupation - No Customer or Client Attending the Premises for Specified Reasons

A **home occupation**, other than one for an **education use**, may not have clients or customers attending the **premises** for:

- (A) consultations;
- (B) receiving services; or
- (C) obtaining physical goods.

(3) Home Occupation - No Outdoor Activities, Services, Display or Storage

A **home occupation** may not have outdoor activities, services, display or **open storage**.

(4) Home Occupation - Music or Dance Instruction Permitted in a Detached House Only

A **home occupation** for music or dance instruction and training may only be in a **detached house**.

(5) Home Occupation - Not Permitted with a Group Home or Residential Care Home

A **home occupation** is not permitted with a **group home** or a **residential care home**.

(6) Home Occupation - No Employee Other than the Business Operator

A **home occupation** may not have an employee working in the **dwelling unit** who is not the business operator.

(7) Home Occupation - Personal Services Permitted in the Residential Zone Category

Despite regulations 150.5.20(1) and (2), a **home occupation** in the Residential Zone Category may be a **personal service shop**, limited to the following types of services:

- (A) barber;
- (B) hairdresser;
- (C) beautician;
- (D) dressmaker;
- (E) seamstress; and
- (F) tailor. [ By-law: 820-2022 ]

(8) Home Occupation - Health Related Professionals Office Permitted in the Residential Zone Category

- (A) Despite regulations 150.5.20.1(1) and (2), a **home occupation** in the Residential Zone Category may be:
- (i) an office or medical office for a professional regulated under the College of Physicians and Surgeons of Ontario; and
  - (ii) an office or medical office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended; and
- (B) Despite regulation 150.5.20.1(6), a **home occupation** in the Residential Zone Category described in (A), above, may have one employee working in the **dwelling unit** in addition to the business operator. [ By-law: 820-2022 ]

## **150.5.40 Building Requirements**

### **150.5.40.1 General**

(1) Home Occupation - No Exterior Alteration to Building

There may be no exterior alteration to a **building** to accommodate a **home occupation**.

(2) Home Occupation - Health Related Professionals Office in an Apartment Building in the Residential Zone Category

In the Residential Zone Category, if a **dwelling unit** in an **apartment building** has a **home occupation** that is a service provided by a professional regulated under the College of Physicians and Surgeons of Ontario or under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended, the **dwelling unit** must be located on the **first floor** or in the **basement**. [ By-law: 820-2022 ]

### **150.5.40.40 Floor Area**

(1) Home Occupation - Maximum Interior Floor Area

The floor area for a **home occupation** may not exceed the lesser of:

- (A) 25% of total **interior floor area** of the **dwelling unit** the **home occupation** is located in; or
- (B) 100 square metres.

## **150.5.60 Ancillary Buildings and Structures**

### **150.5.60.1 General**

(1) Home Occupation - Not Permitted in an Ancillary Building

A **home occupation** is not permitted in an **ancillary building** or **structure**.

## 150.7 Garden Suites

### 150.7.1 General

(1) Application of this Section

The regulations of Section 150.7 apply to **garden suites**. [ By-law: 101-2022 ]

(2) Definition of Lawful

For the purposes of Chapter 150.7, the words **lawful** and **lawfully** highlighted in bold type, in addition to the definitions provided in Zoning By-law 569-2013, Chapter 800 Definitions, includes existing or authorized on or before February 3, 2022. [ By-law: 101-2022 ]

### 150.7.20 Use Requirements

#### 150.7.20.1 General

(1) Garden Suite - Permitted Uses

- (A) Despite regulation 10.5.60.1(2), an **ancillary building** may be used for living accommodation in one **garden suite**.
- (B) Despite regulation 10.5.60.1(3), an **ancillary building** may have both food preparation facilities and sanitary facilities in a **garden suite**.
- (C) Despite regulation 10.5.60.1(4), above-ground parts of an **ancillary building** containing a **garden suite** may be erected prior to the erection of the **main walls** and completion of the roof of a **residential building** on the same **lot**.
- (D) Despite regulation 150.5.60.1(1), a **home occupation** is permitted in a **garden suite** if the **garden suite** is exclusively and separately occupied as a principal residence, applying the regulations of Section 150.5 as if it is a **dwelling unit**; and
- (E) Despite regulation 150.13.20.1(1), a **short-term rental** is permitted in an **ancillary building** if it is in a **garden suite** that is exclusively and separately occupied as a principal residence. [ By-law: 101-2022 ]

(2) Garden Suite - Use Restriction

A maximum of one **ancillary building** containing either a **garden suite** or a **laneway suite** is permitted on a **lot**. A **lot** may not contain both a **garden suite** and a **laneway suite**. [ By-law: 101-2022 ]

### 150.7.50 Yards

#### 150.7.50.10 Landscaping

(1) Landscaping Requirements for a Garden Suite

Despite regulation 10.5.50.10(3), for a **lot** with a **residential building** and an **ancillary building** containing a **garden suite**:

- (A) with a **lot frontage** of greater than 6.0 metres, a minimum of 50 percent of the area:
  - (i) between all rear **main walls** of the **residential building** on the **lot** and the **rear lot line**, and
  - (ii) extending parallel to the **rear lot line** across the full width of the **lot** from the point where the rear **main wall** of the **residential building** meets the **residential building's** side **main walls** closest to the respective **side lot lines**, must be for **soft landscaping**;
- (B) with a **lot frontage** of 6.0 metres or less, a minimum of 25 percent of the area:
  - (i) between all rear **main walls** of the **residential building** on the **lot** and the **rear lot line**, and

- (ii) extending parallel to the **rear lot line** across the full width of the **lot** from the point where the rear **main wall** of the **residential building** meets the **residential building's side main walls** closest to the respective **side lot lines**, must be for **soft landscaping**. [ By-law: 101-2022 ]

## 150.7.60 Ancillary Building Requirements When Containing a Garden Suite

### 150.7.60.20 Setbacks

(1) Parts of a Garden Suite to which a Required Building Setback Applies

Despite regulation 5.10.40.70.(2), the required minimum **ancillary building setbacks** apply to all parts of an **ancillary building** containing a **garden suite** above-ground and below-ground, excluding footings. [ By-law: 101-2022 ]

(2) Garden Suite - Rear Yard Setback

Despite regulations 10.5.60.20(2) and (5), and regulation 10.10.60.20(1), the required minimum **rear yard setback** for an **ancillary building** containing a **garden suite** is:

- (A) if on a **lot** with a **lot depth** greater than 45.0 metres, equal to the greater of 1.5 metres and half the height of the **ancillary building** containing a **garden suite**; and  
(B) In all other cases, 1.5 metres. [ By-law: 101-2022 ]

(3) Garden Suite on Through Lot - Rear Yard Setback

The required minimum **rear yard setback** for an **ancillary building** containing a **garden suite** must comply with regulation 150.7.60.20(2), except:

- (A) if it is on a **through lot**, and a **residential building** on an adjacent **lot** fronts on the **street** that abuts the **rear lot line** of the **through lot**, the required minimum **rear yard setback** for the **ancillary building** containing a **garden suite** is equal to the required minimum **front yard setback** for the **residential building** on the adjacent **lot**; and  
(B) In all other cases, 1.5 metres; [ By-law: 101-2022 ]

(4) Garden Suite containing a Parking Space on Through Lot - Rear Yard Setback

The required minimum **rear yard setback** for an **ancillary building** containing a **garden suite** and a **parking space** must comply with regulation 150.7.60.20(2), except if it is on a **through lot** and **vehicle** access is from the **street** abutting the **rear lot line**, the required minimum **rear yard setback** is greater of:

- (A) the **rear yard setback** required by regulation 150.7.60.20(3)(A); and  
(B) 6.0 metres; [ By-law: 101-2022 ]

(5) Garden Suite - Side Yard Setback

Despite regulations 10.5.60.20(3) and (6) and 10.10.60.20(1), the required minimum **side yard setback** for an ancillary building containing a garden suite is:

- (A) if the **side lot line** does not abut a **street**, and there are openings such as doors or windows in the side **main wall** of the **ancillary building**, the greater of 1.5 metres and the amount that is 10 percent of the **lot frontage**, to a maximum of 3.0 metres; and  
(B) in all other cases, the greater of 0.6 metres and the amount that is 10 percent of the **lot frontage**, to a maximum of 3.0 metres. [ By-law: 101-2022 ]

(6) Garden Suite on Corner Lot - Side Yard Setback

Despite 10.5.60.20(3)(C)(i), the required minimum **side yard setback** for an **ancillary building** containing a **garden suite** must comply with regulation 150.7.60.20(5), except:

- (A) if it is on a **corner lot** and the **ancillary building** containing a **garden suite** contains a **parking space** and **vehicle access** from the **street** abutting the **side lot line**, the required minimum **side yard setback** is 6.0 metres; and



- (B) in all other cases, the required minimum **side yard setback** is the greater of the required minimum **side yard setback** for the **residential building** on the **lot** and 1.5 metres. [ By-law: 101-2022 ]

#### 150.7.60.21 Setback Exemptions

(1) Permitted Setbacks for Lawfully Existing Ancillary Buildings

If the **lawful building setback** of a **lawfully existing ancillary building** is less than the required minimum **building setback** for an **ancillary building** containing a **garden suite** required by Clause 150.7.60.20, the required minimum **building setback** for a **garden suite** in that **lawfully existing ancillary building** is:

- (A) the minimum **rear yard setback** for that **lawfully existing ancillary building**; and  
(B) the minimum **side yard setback** for that **lawfully existing ancillary building**. [ By-law: 101-2022 ]

#### 150.7.60.30 Separation and Dimensions

(1) Minimum Separation between a Residential Building

Despite regulation 10.5.60.30(1), an **ancillary building** containing a **garden suite** must be:

- (A) no less than 5.0 metres from a **residential building** on the same **lot** if the height of the **ancillary building** is no greater than 4.0 metres;  
(B) no less than 7.5 metres from a **residential building** on the same **lot** if the height of the **ancillary building** is greater than 4.0 metres; and  
(C) despite regulations 150.7.60.30(1)(A) and (B), if an **ancillary building** containing a **garden suite** is on a **lot** in the area bounded by Coxwell Avenue, Coxwell Boulevard and Massey Creek to the west, the Don River and Sunrise Avenue to the north, Victoria Park Avenue and Nursewood Park to the east, and Lake Ontario to the south, the **ancillary building** containing a **garden suite** must be no less than 5.0 metres from a **residential building** on the same **lot**. [ By-law: 101-2022 ]

(2) Angular Planes

- (A) No part of an **ancillary building** containing a **garden suite** may penetrate any of the following:
- (i) a 45-degree **angular plane** projected towards the **rear lot line**, beginning from a height of 4.0 metres at a distance of 7.5 metres from the rear **main wall** of the **residential building** on the same **lot**;
  - (ii) a 45-degree **angular plane** projected towards the **front lot line**, beginning from a height of 4.0 metres from the required **rear yard setback**; and
  - (iii) a 45-degree **angular plane** projected towards the opposite **side lot line**, beginning from a height of 4.0 metres from the required **side yard setback**.
- (B) Despite regulation 150.7.60.30(2)(A), **angular planes** are not applicable to those sides of an **ancillary building** containing a **garden suite** that abut a **street**; and
- (C) Despite regulation 150.7.60.30(2)(A)(i), if an **ancillary building** containing a **garden suite** is on a **lot** in the area bounded by Coxwell Avenue, Coxwell Boulevard and Massey Creek to the west, the Don River and Sunrise Avenue to the north, Victoria Park Avenue and Nursewood Park to the east, and Lake Ontario to the south, no part of the **ancillary building** containing a **garden suite** may penetrate a 45-degree **angular plane** projected towards the **rear lot line**, beginning from a height of 4.0 metres at a distance of 5.0 metres from the rear **main wall** of the **residential building** on the same **lot**. [ By-law: 101-2022 ]

(3) Permitted Projections into Required Front Main Wall Angular Plane

Despite regulation 150.7.60.30(2), a dormer or a vertical extension of the front **main wall** of an **ancillary building** containing a **garden suite** may project into the required **angular plane** if it occupies no more than 30 percent of the total width of the **ancillary building's** front **main wall**. [ By-law: 101-2022 ]

(4) Skylights in a Roof

Despite regulation 150.7.60.30(3), skylights in a roof may project into a required **angular plane** a maximum of 0.3 metres. [ By-law: 101-2022 ]

### 150.7.60.31 Separation Exemptions

(1) Minimum Separation Between a Lawfully Existing Residential Building and a Lawfully Existing Ancillary Building

If the separation between a **lawfully existing ancillary building** and a **lawfully existing residential building** on the same **lot** is less than the required minimum separation between an **ancillary building** containing a **garden suite** and a **residential building** required by Clause 150.7.60.30(1), the required minimum separation between the **lawfully existing residential building** and the **lawfully existing ancillary building** is the separation that exists between the **lawfully existing ancillary building** and the **lawfully existing residential building**. [ By-law: 101-2022 ]

### 150.7.60.40 Height

(1) Maximum Height of a Garden Suite

Despite regulation 10.5.60.40(2)(B), the permitted maximum height of an **ancillary building** containing a **garden suite** is:

- (A) if the **ancillary building** containing a **garden suite** is located a minimum of 5.0 metres to less than 7.5 metres from the **residential building** on the **lot**, 4.0 metres;
- (B) if the **ancillary building** containing a **garden suite** is located 7.5 metres or more from the **residential building** on the **lot**, 6.0 metres; and
- (C) despite regulations 150.7.60.40(1)(A) and (B), if the **ancillary building** containing a **garden suite** is on a **lot** in the area bounded by Coxwell Avenue, Coxwell Boulevard and Massey Creek to the west, the Don River and Sunrise Avenue to the north, Victoria Park Avenue and Nursewood Park to the east, and Lake Ontario to the south, 6.3 metres. [ By-law: 101-2022 ]

(2) Maximum Storeys for Garden Suites

Despite regulation 10.5.60.40(3), an **ancillary building** containing a **garden suite** may have a maximum of two **storeys**, subject to (1) above. [ By-law: 101-2022 ]

(3) Height of Specific Structures on a Garden Suite

The following **structures** on the roof of an **ancillary building** containing a **garden suite** may exceed the permitted maximum height for that **building** by 1.0 metres:

- (A) antennae;
- (B) flagpoles;
- (C) parapets for a **green roof**, if they are no closer than 1.0 metre from the **main walls** of the **ancillary building**;
- (D) satellite dishes; and
- (E) weather vanes. [ By-law: 101-2022 ]

(4) Height of Skylights on a Garden Suite

Skylights on the roof of an **ancillary building** containing a **garden suite** may exceed the permitted maximum height for that **building** by 0.3 metres. [ By-law: 101-2022 ]

(5) Height of Elements for Functional Operation of the Garden Suite

The following equipment and **structures** on the roof of an **ancillary building** containing a **garden suite** may exceed the permitted maximum height for that **building** by 1.0 metre, subject to (6) below:

- (A) equipment used for the functional operation of the **ancillary building** containing a **garden suite**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **ancillary building** containing a **garden suite** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, chimneys, vents, and water supply facilities; and

(C) **structures** that enclose, screen or cover the elements listed in regulation (A) and (B) above. [ By-law: 101-2022 ]

(6) Height - Horizontal Limits on Elements for Functional Operation of the Garden Suite

Equipment, **structures** or parts of an **ancillary building** permitted in regulation 150.7.60.40(5) must not:

(A) cover more than 30 percent of the area of the roof, measured horizontally; and

(B) be located closer than 1.0 metre to the **main walls** of the ancillary building. [ By-law: 101-2022 ]

(7) Height of Garden Suite Entrance

Regulation 10.5.60.40(4) does not apply to an **ancillary building** containing a **garden suite**. [ By-law: 101-2022 ]

## 150.7.60.50 Floor Area

(1) Exclusion from Floor Space Index

The **gross floor area** of an **ancillary building** containing a **garden suite** is not included for the purpose of calculating the total **gross floor area** and floor space index for a **lot**. [ By-law: 101-2022 ]

(2) Garden Suite - Interior Floor Area

The **interior floor area** of an **ancillary building** containing a **garden suite** must be less than the **gross floor area** of the **residential building** on a **lot**. [ By-law: 101-2022 ]

(3) Exemption from Maximum Floor Area for an Ancillary Building

Regulation 10.5.60.50(2) does not apply to an **ancillary building** containing a **garden suite**. [ By-law: 101-2022 ]

## 150.7.60.60 Decks, Platforms and Amenities, and Permitted Encroachments

(1) Interpretation of Platform Walls

The exterior sides of a platform, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of an **ancillary building** containing a **garden suite**, are not **main walls** if at least 50 percent of the exterior sides above the floor are open to the outside. [ By-law: 101-2022 ]

(2) Platform Restrictions

Despite regulation 10.5.60.20(11), a platform without **main walls** in accordance with regulation 150.7.60.60(1) is permitted, if:

(A) the area of the platform, other than a **green roof**, is less than 10 percent of the **interior floor area** of the **garden suite**;

(B) the platform complies with the required minimum **building setbacks**, separation distances and **angular planes** for the **ancillary building** containing a **garden suite**; and

(C) the exterior sides of a platform adjacent to a **side yard** are visually screened from an abutting **lot** by an opaque barrier with a vertical dimension of no less than 1.5 metres. [ By-law: 101-2022 ]

(3) Platform Height

Despite regulation 10.5.60.40(5)(B), the level of the floor of a platform permitted in accordance with regulation 150.7.60.60(2), other than a **green roof**, must be:

(A) no higher than 0.2 metres above the level of the floor of the **storey** from which it gains access; and

(B) located on the **first floor** of an **ancillary building** containing a **garden suite**. [ By-law: 101-2022 ]

(4) Permitted Encroachments for Platforms

Despite regulation 150.7.60.60(2)(B), a platform without **main walls** in accordance with 150.7.60.60(1), together with stairs or ramps leading to the platform, may encroach into the distance separation required in regulation 150.7.60.30(1) by a maximum of 1.5 metres from the front **main wall** of the **ancillary building** if the platform is no higher than 0.3 metres above the average elevation of the ground measured along the front **main wall** of the **ancillary building**. [ By-law: 101-2022 ]

(5) Permitted Encroachments for Canopies and Awnings

A canopy, awning or similar **structure**, with or without **structural** support, or a roof over a platform which complies with regulation 150.7.60.60(4), may encroach into a required separation distance or **building setback**, subject to the following:

- (A) the maximum height of the roof, canopy, awning or similar **structure** is 4.0 metres above the average elevation of the ground measured along the abutting **main wall** of the **ancillary building**;
- (B) a canopy, awning or similar **structure** may encroach into the distance separation required in regulation 150.7.60.30(1) a maximum of 1.5 metres from the front **main wall** of the **ancillary building**; and
- (C) between a rear or side **lot line** and the **ancillary building**, a canopy, awning or similar **structure** may encroach into the **ancillary building setbacks** required in Clause 150.7.60.20 as follows:
  - (i) on a **main wall** of the **ancillary building** containing a **garden suite** that faces a **street**, the lesser of 50 percent of the required **building setback** and 1.5 metres. [ By-law: 101-2022 ]

(6) Architectural Features

Architectural features on an **ancillary building** containing a **garden suite** must comply with the following, if the architectural features are no closer to a **lot line** than 0.3 metres:

- (A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature may encroach into a **building setback** required in Clause 150.7.60.20 or into the distance separation required in regulation 150.7.60.30(1) to a maximum of 0.6 metres; and
- (B) a chimney breast may encroach into a **building setback** required in Clause 150.7.60.20 or into the distance separation required in regulation 150.7.60.30(1) to a maximum of 0.6 metres, if it is no wider than 2.0 metres. [ By-law: 101-2022 ]

(7) Equipment

Wall mounted equipment on an **ancillary building** containing a **garden suite**, such as vents, pipes, utility equipment, satellite dishes, antennae or air conditioners, may encroach a maximum of 0.6 metres as follows, if the equipment is no closer to a **lot line** than 0.3 metres:

- (A) on a **main wall** of the **ancillary building**, into the minimum **building setbacks** required in Clause 150.7.60.20; and
- (B) on the front **main wall** of the **ancillary building**, into the distance separation required in regulation 150.7.60.30(1). [ By-law: 101-2022 ]

## 150.7.60.70 Lot Coverage

(1) Lot Coverage Requirement for a Lot with a Garden Suite

Despite regulations 10.5.60.70(1) and 10.10.60.70(1), if a **lot** has an **ancillary building** containing a **garden suite**:

- (A) the **ancillary building** containing a **garden suite** is not included in the overall calculation of **lot coverage**;
- (B) the area of the **lot** covered by all **ancillary buildings** combined, including the **ancillary building** containing a **garden suite**, may not exceed 20 percent of the **lot area**; and
- (C) the area of the **lot** covered by an **ancillary building** containing a **garden suite** may not exceed the lesser of:
  - (i) 40 percent of the area:
    - (a) between all rear **main walls** of the **residential building** on the **lot** and the **rear lot line**; and
    - (b) extending parallel to the **rear lot line** across the full width of the **lot** from the point where the rear **main wall** of the **residential building** meets the **residential building's** side **main walls** closest to the respective **side lot lines**; and
  - (ii) A total floor area of 60.0 square metres. [ By-law: 101-2022 ]

## 150.7.75 Energy Regulations

### 150.7.75.1 General

(1) Solar Energy Device

Despite regulation 10.5.75.1(4), a photovoltaic **solar energy** device or thermal **solar energy** device that is on an **ancillary building** containing a **garden suite**:

- (A) must comply with the required minimum **building setbacks** for an **ancillary building** containing a **garden suite**; and
- (B) no part of the device may be higher than 1.2 metres above the permitted maximum height for an **ancillary building** containing a **garden suite**. [ By-law: 101-2022 ]

## **150.7.80 Parking and Bicycle Parking**

### **150.7.80.1 General**

(1) Parking Space Requirement for a Lot with a Garden Suite

Despite regulation 200.5.10.1(1), if a **lot** has an **ancillary building** containing a **garden suite**, no **parking space** is required for the **garden suite**. [ By-law: 101-2022 ]

(2) Bicycle Parking Space Requirement for a Garden Suite

An **ancillary building** containing a **garden suite** must provide a minimum of two **bicycle parking spaces** within the **garden suite** or within any required separation distance or the required **building setbacks** for an **ancillary building** containing a **garden suite**. [ By-law: 101-2022 ]

(3) Access to Parking Space

Despite regulation 10.5.80.40(3), if a **lot** has an **ancillary building** containing a **garden suite**, **vehicle** access to a **parking space** must be provided from a **lawfully existing vehicle** access. [ By-law: 101-2022 ]

## 150.8 Laneway Suites

### 150.8.1 General

(1) Application of this Section

The regulations of Section 150.8 apply to **laneway suites**. [ By-law: 810-2018 ]

### 150.8.20 Use Requirements

#### 150.8.20.1 General

(1) Laneway Suite – Permitted Uses

- (A) Despite regulation 10.5.60.1(2), an **ancillary building** may be used for living accommodation in one **laneway suite**.
- (B) Despite regulation 10.5.60.1(3), an **ancillary building** may have both food preparation facilities and sanitary facilities in a **laneway suite**.
- (C) Despite regulation 10.5.60.1(1) a **home occupation** is permitted in a **laneway suite** if the **laneway suite** is exclusively and separately occupied as a principal residence, applying the regulations of Section 150.5 as if it is a **dwelling unit**; and
- (D) Despite regulation 150.13.20.1(1) a **short-term rental** is permitted in an **ancillary building** if it is in a **laneway suite** that is exclusively and separately occupied as a principal residence.
- (E) Despite regulation 10.5.60.1(4) above-ground parts of an **ancillary building** containing a **laneway suite** may be erected prior to the erection of the **main walls** and completion of the roof of a **residential building** on the same **lot**. [ By-law: 810-2018; 1107-2021 ]

(2) Laneway Suite - Use Restriction

A maximum of one **ancillary building** containing either a **laneway suite** or a **garden suite** is permitted on a **lot**. A **lot** may not contain both a **laneway suite** and a **garden suite**. [ By-law: 101-2022 ]

(3) Laneway Suites – Location Restriction

A **laneway suite** is not permitted in the area bounded by Avenue Road, the Canadian Pacific (CP) Limited rail corridor, Yonge Street, Rosedale Valley Road, Sherbourne Street, Bloor Street East and Bloor Street West. [ By-law: 1210-2019 ]

### 150.8.30 Lot Requirements

#### 150.8.30.20 Lot Line

(1) Minimum Lot Line on a Lane

A laneway suite must be on a **lot** with a **rear lot line** or **side lot line** abutting a **lane** for at least 3.5 metres; or on a **lot** with a cumulative total of at least 3.5 metres along a **side lot line** and **rear lot line**. [ By-law: 1107-2021 ]

### 150.8.50 Yards

#### 150.8.50.10 Landscaping

(1) Landscaping Requirements for a Laneway Suite

Despite regulation 10.5.50.10 (3), for a **lot** with a **residential building** and an **ancillary building** containing a **laneway suite**:

- (A) with a **lot frontage** of 6.0 metres or less, a minimum of 60 percent of the area between all rear **main walls** of the **residential building** and the front **main wall** of the **ancillary building** containing a **laneway suite** must be for **soft landscaping**;

- (B) with a **lot frontage** of greater than 6.0 metres, a minimum of 85 percent of the area between all rear **main walls** of the **residential building** and the front **main wall** of the **ancillary building** containing a **laneway suite** must be for **soft landscaping**, excluding a pedestrian walkway which may have a maximum width of 1.5 metres; and
- (C) the area between the **ancillary building** containing a **laneway suite** and the **lot line** abutting a **lane**, excluding a permitted **driveway**, and a pedestrian walkway which may have a maximum width of 1.5 metres, must be **landscaping**, of which a minimum of 75 percent must be **soft landscaping**. [ By-law: 1107-2021 ]

## 150.8.60 Ancillary Building Requirements When Containing a Laneway Suite

### 150.8.60.20 Setbacks

#### (1) Parts of a Laneway Suite to which a Required Building Setback Applies

The required minimum **ancillary building setbacks** apply to all parts of an **ancillary building** containing a **laneway suite** above-ground and below-ground, excluding footings. [ By-law: 810-2018 ]

#### (2) Laneway Suite - Rear Yard Setback

Despite regulations 10.5.60.20(2) and (5) and regulation 10.10.60.20(1), the required minimum **rear yard setback** for an **ancillary building** containing a **laneway suite** is:

- (A) if the **rear lot line** does not abut a **street** or **lane** and there are no openings such as **vehicle** access, doors or windows in the rear **main wall** of the **ancillary building**, 0.0 metres; and
- (B) in all other cases, 1.0 metres. [ By-law: 810-2018; 1107-2021 ]

#### (3) Laneway Suite – Side Yard Setback

Despite regulations 10.5.60.20(3) and (6) and regulation 10.10.60.20(1), the required minimum **side yard setback** for an **ancillary building** containing a **laneway suite** is:

- (A) if the **side lot line** does not abut a **street** or **lane** and there are no openings such as **vehicle** access, doors or windows in the side **main wall** of the **ancillary building**, 0.0 metres;
- (B) if the **side lot line** abuts a **street**, the required minimum **side yard setback** for the **residential building** on the **lot**; and
- (C) if the **side lot line** abuts a **lot** in the R, RD, RS, RT or RM ZONE and the **rear lot line** abuts a **lane**, an **ancillary building** containing a **laneway suite** with a height greater than 4.0 metres, 1.5 metres for the **side lot line** that abuts the **rear lot line** of another **lot**; and [ By-law: 1107-2021 ]
- (D) in all other cases, 1.0 metres. [ By-law: 810-2018; 1107-2021 ] [ By-law 94-2022 ]

### 150.8.60.21 Setback Exemptions

#### (1) Permitted Setbacks for Lawfully Existing Ancillary Buildings

If the **lawful building setback** of a **lawfully existing ancillary building** is less than the required minimum **building setback** for an **ancillary building** containing a **laneway suite** required by Clause 150.8.60.20, the required minimum **building setback** for a **laneway suite** in that **lawfully existing ancillary building** is:

- (A) the minimum **rear yard setback** for that **lawfully existing ancillary building**; and [ By-law: 1107-2021 ]
- (B) the minimum **side yard setback** for that **lawfully existing ancillary building**. [ By-law: 1210-2019 ]

### 150.8.60.30 Separation and Dimensions

#### (1) Minimum Separation between a Residential Building and the Ancillary Building

Despite regulation 10.5.60.30(1) an **ancillary building** containing a **laneway suite** must be:

- (A) no less than 5.0 metres from a **residential building** on the same **lot** if the height of the **ancillary building** is no greater than 4.0 metres; and
- (B) no less than 7.5 metres from a **residential building** on the same **lot** if the height of the **ancillary building** is greater than 4.0 metres. [ By-law: 810-2018 ]

#### (2) Angular Plane

No part of an **ancillary building** containing a **laneway suite** may penetrate a 45 degree **angular plane** projected towards the **rear lot line** beginning from a height of 4.0 metres at a distance of 7.5 metres from rear **main wall** of the **residential building** on the same **lot**. [ By-law: 1210-2019 ]

(3) Permitted Projections into a Required Angular Plane

Despite regulation 150.8.60.30(2), a dormer or a vertical extension of the front **main wall** of an **ancillary building** containing a **laneway suite** may project into the required **angular plane** if it occupies no more than 30 percent of the total width of the **ancillary building's** front **main wall**. [ By-law: 1210-2019 ]

(4) Skylights and Windows in a Roof

Despite regulation 150.8.60.30(2), windows or skylights may project into the required **angular plane** a maximum of 0.3 metres. [ By-law: 1210-2019 ]

(5) Maximum Length of a Laneway Suite

The permitted maximum **building length** for an **ancillary building** containing a **laneway suite** is 10.0 metres. [ By-law: 1210-2019 ]

(6) Maximum Width of a Laneway Suite

The permitted maximum **building** width of an **ancillary building** containing a **laneway suite** is 8.0 metres. [ By-law: 1107-2021 ]

### 150.8.60.31 Separation Exemptions

(1) Minimum Separation Between a Lawfully Existing Residential Building and a Lawfully Existing Ancillary Building

If the separation between a **lawfully existing ancillary building** and a **lawfully existing residential building** on the same **lot** is less than the required minimum separation between an **ancillary building** containing a **laneway suite** and a **residential building** required by Clause 150.8.60.30, the required minimum separation between the **lawfully existing residential building** and the **lawfully existing ancillary building** is the separation that exists between the **lawfully existing ancillary building** and the **lawfully existing residential building**. [ By-law: 1210-2019 ]

(2) Permitted Length of a Lawfully Existing Ancillary Building

If the **lawful building length** for a **lawfully existing ancillary building** is more than the permitted maximum **building length** for an **ancillary building** containing a **laneway suite** required by regulation 150.8.60.30(5), the permitted maximum **building length** for an **ancillary building** containing a **laneway suite** is the **lawful building length** for the **lawfully existing ancillary building**. [ By-law: 1107-2021 ]

(3) Permitted Width of a Lawfully Existing Ancillary Building

If the **lawful building** width for a **lawfully existing ancillary building** is more than the permitted maximum **building** width for an **ancillary building** containing a **laneway suite** required by regulation 150.8.60.30(6), the permitted maximum **building** width for an **ancillary building** containing a **laneway suite** is the **lawful building** width for the **lawfully existing ancillary building**. [ By-law: 1107-2021 ]

### 150.8.60.40 Height

(1) Maximum Height of a Laneway Suite

Despite regulation 10.5.60.40(2)(B), the permitted maximum height of an **ancillary building** containing a **laneway suite** is:

- (A) if the **ancillary building** containing a **laneway suite** is located a minimum of 5.0 metres to less than 7.5 metres from the **residential building** on the **lot**, 4.0 metres; and
- (B) if the **ancillary building** containing a **laneway suite** is located 7.5 metres or more from the **residential building** on the **lot**, 6.3 metres. [ By-law: 1107-2021 ]

(2) Maximum Storeys for Laneway Suites

Despite regulation 10.5.60.40(3), an **ancillary building** or **structure** containing a **laneway suite** may have a maximum of two **storeys**, subject to (1) above. [ By-law: 810-2018 ]

(3) Height of Specific Structures on a Laneway Suite

The following **structures** on the roof of an **ancillary building** containing a **laneway suite** may exceed the permitted maximum height for that **building** by 1.0 metres:

- (A) antennae;



- (B) flagpoles;
  - (C) parapets for a **green roof**, if they are no closer than 0.5 metres to the **main walls** of the **ancillary building**; [ By-law: 1107-2021 ]
  - (D) satellite dishes; and
  - (E) weather vanes. [ By-law: 810-2018 ]
- (4) Height of Skylights on a Laneway Suite  
Skylights on the roof of an **ancillary building** containing a **laneway suite** may exceed the permitted maximum height for that **building** by 0.3 metres. [ By-law: 1107-2021 ]
- (5) Height of Elements for Functional Operation of a Building  
The following equipment and **structures** on the roof of an **ancillary building** containing a **laneway suite** may exceed the permitted maximum height for that **building** by 1.5 metres, subject to (6) below:
- (A) equipment used for the functional operation of the **ancillary building** containing a **laneway suite**, such as electrical, utility, mechanical and ventilation equipment;
  - (B) **structures** or parts of the **ancillary building** containing a **laneway suite** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, chimneys, vents, and water supply facilities; and
  - (C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above. [ By-law: 1107-2021 ]
- (6) Height - Horizontal Limits on Elements for Functional Operation of a Building  
Equipment, **structures** or parts of a **building** permitted in (5) above must not:
- (A) cover more than 30 percent of the area of the roof, measured horizontally; and
  - (B) be located closer than 1.5 metres to the **main walls** of the **ancillary building**. [ By-law: 1107-2021 ]
- (7) Height of Laneway Suite Entrance  
Regulation 10.5.60.40(4) does not apply to an **ancillary building** containing a **laneway suite**. [ By-law: 1107-2021 ]

#### 150.8.60.50 Floor Area

- (1) Exclusion from Floor Space Index  
The **gross floor area** an **ancillary building** containing a **laneway suite** is not included for the purpose of calculating the total **gross floor area** and floor space index for a **lot**. [ By-law: 810-2018 ]
- (2) Laneway Suite – Interior Floor Area  
The **interior floor area** of an **ancillary building** containing a **laneway suite** must be less than the **gross floor area** of the **residential building** on a **lot**. [ By-law: 810-2018 ]
- (3) Exemption from Maximum Floor Area for an Ancillary Building  
Regulation 10.5.60.50(2) does not apply to an **ancillary building** containing a **laneway suite**. [ By-law: 1210-2019 ]

#### 150.8.60.60 Decks, Platforms and Amenities, and Permitted Encroachments

- (1) Interpretation of Platform Walls  
The exterior sides of a platform, such as a deck, porch, balcony or similar **structure**, attached to or within 0.3 metres of an **ancillary building** containing a **laneway suite**, are not **main walls** if at least 50 percent of the exterior sides above the floor are open to the outside. [ By-law: 810-2018 ]
- (2) Platform Restrictions  
Despite regulation 10.5.60.20(11) a platform without **main walls** in accordance with (1) above, is permitted, if:
- (A) the area of the platform, other than a **green roof**, is less than 10 percent of the **interior floor area** of the **laneway suite**;
  - (B) the platform complies with the required minimum **building setbacks**, separation distances and angular planes for the **ancillary building** containing a **laneway suite**; and
  - (C) the exterior sides of a platform adjacent to a **side yard** must be visually screened from an abutting **lot** by an opaque barrier with a vertical dimension of no less than 1.5 metres. [ By-law: 810-2018 ]

(3) Platform Height

Despite regulation 10.5.60.40(5)(B), the level of the floor of a platform permitted in accordance with (2) above, other than a **green roof**, must be:

- (A) no higher than 0.2 metres above the level of the floor of the **storey** from which it gains access; and
- (B) no higher than 4.0 metres above **average grade** unless it is attached to or within 0.3 metres of a **main wall** facing a **lane**. [ By-law: 810-2018 ]

(4) Permitted Encroachments for Platforms

Despite (2)(B) above, a platform without **main walls** in accordance with (1) above, together with stairs or ramps leading to the platform, may encroach into the distance separation required in regulation 150.8.60.30(1) a maximum of 1.5 metres from the front **main wall** of the **ancillary building** if the platform is no higher than 0.3 metres above the average elevation of the ground measured along the front **main wall** of the **ancillary building**. [ By-law: 810-2018 ]

(5) Permitted Encroachments for Canopies and Awnings

A canopy, awning or similar **structure**, with or without structural support, or a roof over a platform which complies with (4) above, may encroach into a required separation distance or **building setback**, subject to the following:

- (A) the maximum height of the roof, canopy, awning or similar **structure** is 4.0 metres above the average elevation of the ground measured along the abutting **main wall** of the **ancillary building**;
- (B) a canopy, awning or similar **structure** may encroach into the distance separation required in regulation 150.8.60.30(1) a maximum of 1.5 metres from the front **main wall** of the **ancillary building**; and
- (C) between a **lane** and the **ancillary building** containing a **laneway suite**, a canopy, awning or similar **structure** may encroach into the **ancillary building setbacks** required in Clause 150.8.60.20 a maximum of 0.75 metres from the **ancillary building's main wall** facing the **lane**. [ By-law: 810-2018 ]

(6) Architectural Features

Architectural features on an **ancillary building** containing a **laneway suite** must comply with the following:

- (A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature may encroach into a **building setback** required in Clause 150.8.60.20 or into the distance separation required in regulation 150.8.60.30(1) a maximum of 0.6 metres; and
- (B) a chimney breast may encroach into a **building setback** required in Clause 150.8.60.20 or into the distance separation required in regulation 150.8.60.30(1) a maximum of 0.6 metres, if it is no wider than 2.0 metres. [ By-law: 810-2018 ]

(7) Equipment

Wall mounted equipment on an **ancillary building** containing a **laneway suite**, such as vents, pipes, utility equipment, satellite dishes, antennae or air conditioners, may encroach a maximum of 0.6 metres into:

- (A) on a **main wall** of the **ancillary building** facing a **lane**, the minimum **building setbacks** abutting the **lane** required in Clause 150.8.60.20; and
- (B) on the front **main wall** of the **ancillary building**, the distance separation required in regulation 150.8.60.30(1). [ By-law: 810-2018 ]

## 150.8.60.70 Lot Coverage

(1) Lot Coverage Requirement for a Lot with a Laneway Suite

Despite regulations 10.5.60.70(1) and 10.10.60.70(1), if a **lot** has an **ancillary building** containing a **laneway suite**:

- (A) the **ancillary building** containing a **laneway suite** it is not included in the overall calculation of **lot coverage**; and
- (B) the area of the **lot** covered by all **ancillary buildings** combined, including the **ancillary building** containing a **laneway suite**, may not exceed 30 percent of the **lot area**. [ By-law: 1210-2019 ]

## 150.8.80 Parking and Bicycle Parking

### 150.8.80.1 General

(1) Parking Space Requirement for a Lot with a Laneway Suite

Despite the **parking space** requirements in regulation 200.5.10.1(1):

- (A) if a **lot** has an **ancillary building** containing a **laneway suite**, no **parking spaces** are required for any **dwelling units** and **secondary suites** in a **detached house**, **semi-detached house**, **townhouse**, **duplex**, **triplex**, or **fourplex** on the same **lot**; and
- (B) no parking **space** is required for a **laneway suite**. [ By-law: 810-2018 ]

(2) Bicycle Parking Space Requirement for a Laneway Suite

An **ancillary building** containing a **laneway suite** must have a minimum of two **bicycle parking spaces** within the **laneway suite**, or within any required separation distance, or within the required **building setbacks** for an **ancillary building** containing a **laneway suite**. [ By-law: 1107-2021 ]

## 150.10 Secondary Suite

### 150.10.1 General

(1) Application of this Section

The regulations in Section 150.10 apply to **secondary suites**. [ By-law: 549-2019 ]

### 150.10.20 Use Requirements

#### 150.10.20.1 General

(1) Secondary Suite - Permitted in Certain Types of Residential Buildings

A **secondary suite** may be in:

- (A) a **detached house**;
- (B) a **semi-detached house**; and
- (C) a **townhouse**. [ By-law: 549-2019 ]

(2) Secondary Suite - Number Permitted in a Detached House, Semi-Detached House or Townhouse

Within a **detached house**, **semi-detached house**, or **townhouse**, each **dwelling unit** may have a maximum of one **secondary suite**. [ By-law: 549-2019 ]

(3) Secondary Suite - Number Permitted in a Detached House or a Semi-Detached House in the R Zone

Despite regulation 150.10.20.1(2), in the R zone, each **dwelling unit** in a **detached house** or **semi-detached house** may have more than one **secondary suite**. [ By-law: 549-2019 ]

(4) Secondary Suite - Permission in Zones Where a Detached House, Semi-Detached House, or Townhouse Are Not Permitted Building Types

A **secondary suite** is permitted within a **lawfully existing detached house**, a **lawfully existing semi-detached house**, or a **lawfully existing townhouse** in the RA, RAC, CL, CR, I, IH, IE, IS, and IPW zones. [ By-law: 549-2019 ]

### 150.10.40 Building Requirements

#### 150.10.40.1 General

(1) Restrictions on a Pedestrian Entrance to a Secondary Suite

A pedestrian entrance leading exclusively to a **secondary suite** is :

- (A) permitted in a **front wall** of a **townhouse**; and
- (B) not permitted in a **front wall** of a **detached house** or **semi-detached house**. [ By-law: 549-2019 ]

(2) Secondary Suite – Addition or Exterior Alterations

An addition or exterior alteration to an existing **building** to accommodate a **secondary suite** is permitted if:

- (A) it does not alter or add to a **front wall**, or roof that faces a **street**; and
- (B) despite (A) above, the following additions or exterior alterations may be on a **front wall**, or roof that faces a **street**:
  - (i) a porch or a **basement** extension under a porch;
  - (ii) a balcony;
  - (iii) a dormer, if the **interior floor area** of the dormer is no more than 2.3 square metres and the total **interior floor area** of all dormers is not more than 9.3 square metres; and
  - (iv) a pedestrian entrance leading exclusively to a **secondary suite** in a **townhouse**. [ By-law: 549-2019 ]

#### 150.10.40.40 Floor Area

(1) Secondary Suite - Interior Floor Area

The **interior floor area** of a **secondary suite**, or all **secondary suites** where more than one is permitted, must be no more than 45 percent of the **interior floor area** of the **dwelling unit** within which it is located. [ By-law: 549-2019 ]

(2) Secondary Suite – In a Basement in a One Storey Detached House

Despite regulation 150.10.40.40(1), in the case of a **secondary suite** located in the **basement** of a one storey **detached house**, the **secondary suite** may occupy the whole of the **basement**. [ By-law: 549-2019 ]

## 150.13 Short-term Rentals

### 150.13.1 General

(1) Application of this Section

The regulations in Section 150.13 apply to **short-term rentals**. [ By-law: 1453-2017 ]

### 150.13.20 Use Requirements

#### 150.13.20.1 General

(1) Short-term Rental – Use Restriction

A **short-term rental** is permitted in a **dwelling unit, secondary suite** or **bed-sitting room**, if:

- (A) there are no more than three **bed-sitting rooms** in a **dwelling unit** used for this purpose;
- (B) the **secondary suite** is exclusively and separately occupied as a principal residence; and
- (C) it is not in a **vehicle**. [ By-law: 1453-2017 ]

## 150.15 Group Home

### 150.15.1 General

(1) Application of this Section

The regulations in Section 150.15 apply to **group homes** or **residential care homes**.

(2) Foster Group Homes

Despite regulation 150.15.1(1), the regulations in Section 150.15 do not apply to a **group home** complying with the definition of a "Parent Model Residence" in the Child and Family Services Act, R.S.O. 1990, c. C.11. as amended.

### 150.15.20 Use Requirements

#### 150.15.20.1 General

(1) Group Home or Residential Care Home - Use Restriction

A **group home** or a **residential care home** must occupy the entire **building** and may not be combined with any other use.

(2) Group Home - Type of Building in the Residential Zone Category

In the Residential Zone category, a **group home** may be in:

- (A) a **building** that was originally constructed as a **detached house**; and
- (B) a **building** that was originally constructed as a **semi-detached house** if:
  - (i) the **building** is on a **lot** in the R zone; and
  - (ii) the **group home** occupies the entire **building**.

### 150.15.30 Lot Requirements

#### 150.15.30.1 General

(1) Deleted

[ By-law: 0550-2014 ]

(2) Correctional Use - Location

A **group home** or a **residential care home** used for correctional purposes must be on a **lot** that:

- (A) is not in the RD zone; and
- (B) has a **front lot line** abutting a major **street** on the Policy Areas Overlay Map.

### 150.15.80 Parking

#### 150.15.80.1 General

(1) Group Home - Parking Space Requirements

A **group home** must have at least two **parking spaces** of which:

- (A) a minimum of one **parking space** must comply with the requirements for the zone and **building** type; and
- (B) no more than one **parking space** may be on the **driveway**.

## 150.20 Crisis Care Shelter

### 150.20.1 General

(1) Application of this Section

The regulations in Section 150.20 apply to **crisis care shelters**.

### 150.20.20 Use Requirements

#### 150.20.20.1 General

(1) Crisis Care Shelter - Use Restriction

A **crisis care shelter** must:

- (A) occupy the entire **building** and not be combined with any other use; and
- (B) be regulated or supervised pursuant to Province of Ontario or Government of Canada legislation.

### 150.20.30 Lot Requirements

#### 150.20.30.1 General

(1) Crisis Care Shelter - Separation Distance and Location

A **crisis care shelter** must:

- (A) be a minimum distance of 250 metres from a **lot** with a **crisis care shelter** or **municipal shelter**, measured in a straight line from nearest **lot line** to nearest **lot line**; and
- (B) be on a **lot** that has a **front lot line** or **side lot line** abutting:
  - (i) a major **street** on the Policy Areas Overlay Map; or
  - (ii) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located in whole or in part, within a distance of 80 metres from that intersection.



## **150.22 Municipal Shelter**

### **150.22.1 General**

(1) Application of this Section

(Deleted by By-law 545-2019) [ By-law: 545-2019 ]

### **150.22.30 Lot Requirements**

#### **150.22.30.1 General**

(1) Municipal Shelter - Separation Distance and Location

(Deleted by By-law 545-2019) [ By-law: 545-2019 ]

## 150.25 Rooming House

### 150.25.1 General

(1) Application of this Section

The regulations in Section 150.25 apply to rooming houses.

(2) Rooming House Permission

A rooming house must be located in an area on the Rooming House Overlay Map, as Rooming House Areas A1, B1, B2, B3, and C1.

### 150.25.10 Rooming House Area 'A'

#### 150.25.10.1 General

(1) General

In Rooming House Area A1, a rooming house is permitted if it complies with the regulations for the zone in which it is located, and with the regulations in Article 150.25.10.

(2) Rooming House Definition

In Rooming House Area A1, a rooming house means a **building** in which living accommodation is provided for at least three persons in separate rooms, each of which may have food preparation facilities or sanitary facilities, but not both. A rooming house may have one **dwelling unit**. A **group home, residential care home, nursing home, retirement home, seniors community house, religious residence, student residence, tourist home, or hotel** is not a rooming house.

#### 150.25.10.2 Requirements

(1) Requirements

In Rooming House Area A1, a rooming house is subject to the following:

(A) it may be on a **lot** if the:

- (i) **lot area** is at least 460 square metres;
- (ii) **lot frontage** is at least 12.0 metres;
- (iii) **lot** is at least 300 metres from all other **lots** with a rooming house or **group home**; and
- (iv) **lot** has at least 75 square metres of **soft landscaping** in the **side yard** or **rear yard**;

(B) it may be in a **building**:

- (i) that was originally constructed as a **detached house**; and
- (ii) that has at least 23 square metres of **interior floor area** for each occupant;

(C) the **building** with the rooming house must be the principal residence of the owner of the **building**;

(D) the **building** may have no more than 10 occupants; and

(E) **parking spaces** must be provided at a minimum rate of 1.0 for the owner of the **building** plus 1.0 for every two occupants.

### 150.25.20 Rooming House Area 'B'

#### 150.25.20.1 General

(1) Rooming House Definition

In Rooming House Areas B1, B2, and B3, a rooming house means a **building** in which living accommodation is provided for more than three persons in separate rooms, each of which may have food preparation facilities or sanitary facilities, but not both. A rooming house may have one or more **dwelling units**. A **group home, residential care home,**

**nursing home, retirement home, seniors community house, religious residence, student residence, tourist home, or hotel is not a rooming house.**

## 150.25.20.2 Requirements

### (1) Conditions

In Rooming House Areas B1 or B2, a rooming house is subject to the following:

#### (A) it may be in a **building**:

- (i) that was originally constructed as a **detached house** or **semi-detached house**;
- (ii) that is at least 5 years old;
- (iii) that has a minimum **interior floor area** of:
  - (a) 9.0 square metres for each room used as living accommodation for a single occupant, and
  - (b) 7.0 square metres per occupant in each room with two or more occupants; and
- (iv) if a room used for living accommodation has food preparation facilities exclusive to that room, the room must have an additional 4.0 square metres of **interior floor area**;

#### (B) exterior alteration to a **building** is not permitted, other than:

- (i) one addition, if the maximum increase in the floor space index of the **building** is 0.15;
- (ii) an addition to or the replacement of a platform such as a porch, deck or balcony, if it complies with the platform requirements for the zone in which the **building** is located;
- (iii) an addition of one or more dormers in the roof if,
  - (a) the maximum **interior floor area** of each dormer is 2.3 square metres,
  - (b) the total maximum **interior floor area** of all dormers is no more than 9.3 square metres, and
  - (c) the increase in floor area is included in the maximum increase in the floor space index permitted in (i) above; and
- (iv) work required by the Building Code Act, 1992, S.O. 1992, c. 23, as amended, the Building Code, O. Reg. 350/06, as amended, or a City of Toronto by-law;

#### (C) if both halves of a **building** that was originally constructed as a **semi-detached house** are used as a rooming house, one half may be converted to a use that is not a rooming house and the other half may continue to be used as a rooming house;

#### (D) a **dwelling unit** in a rooming house must have a minimum **interior floor area** of 33.0 square metres;

#### (E) a rooming house must have sanitary facilities, which include a toilet, wash basin, and a bath or a shower, at a minimum rate of one sanitary facility for every six occupants of the rooming house; and

#### (F) **parking spaces** must be provided at a minimum rate of 1.0 **parking spaces** for every three rooms used for living accommodation in excess of three rooms, and 1.0 **parking spaces** for every two **dwelling units**.

## 150.25.30 Rooming House Area 'B1'

### 150.25.30.1 General

#### (1) General

In Rooming House Area B1, a rooming house must comply with the requirements for the zone in which it is located, the definition in Clause 150.25.20.1, and the regulations Clause 150.25.20.2 and Article 150.25.30.

### 150.25.30.2 Requirements

#### (1) Maximum Number of Rooms

In Rooming House Area B1, the maximum number of rooms used for living accommodation in a rooming house is 6, excluding rooms in a **dwelling unit**.

## 150.25.40 Rooming House Area 'B2'

### 150.25.40.1 General

#### (1) General

In Rooming House Area B2, a rooming house must comply with the requirements for the zone in which it is located, the definition in Clause 150.25.20.1, and the regulations in Clause 150.25.20.2 and Article 150.25.40.

### 150.25.40.2 Requirements

#### (1) Maximum Number of Rooms

In Rooming House Area B2, the maximum number of rooms used for living accommodation in a rooming house is 12, excluding rooms in a **dwelling unit**.

## 150.25.50 Rooming House Area 'B3'

### 150.25.50.1 General

#### (1) General

In Rooming House Area B3, a rooming house must comply with the requirements for the zone in which it is located, the definition in Clause 150.25.20.1, and the regulations in Article 150.25.50.

### 150.25.50.2 Requirements

#### (1) Conditions

In Rooming House Area B3, a rooming house is subject to the following:

- (A) the maximum number of **dwelling units** and rooms used for living accommodation in a rooming house is 25;
- (B) a rooming house is not permitted in a **building** that was originally constructed as an **apartment building**; and
- (C) **parking spaces** must be provided at a minimum rate of 1.0 **parking spaces** for every three rooms used for living accommodation in excess of three rooms, and 1.0 **parking spaces** for every two **dwelling units**.

## 150.25.120 Rooming House Area 'C'

### 150.25.120.1 General

#### (1) General

In Rooming House Area C1, a rooming house must comply with the requirements for the zone in which it is located, and with the regulations in Article 150.25.120.

#### (2) Rooming House Definition

In Rooming House Area C1, a rooming house means a **building** in which living accommodation is provided for more than two persons in separate rooms, each of which may have food preparation facilities or sanitary facilities, but not both. A **group home, residential care home, nursing home, retirement home, seniors community house, religious residence, student residence, tourist home, or hotel** is not a rooming house.

### 150.25.120.2 Requirements

#### (1) Conditions

In Rooming House Area C1, a rooming house is subject to the following:

- (A) it must be on a **lot** that:

- (i) abuts a major **street** on the Policy Areas Overlay Map; and
  - (ii) is at least 300 metres from a **lot** with a rooming house, **group home** or a **crisis care shelter**;
- (B) it must be in a **building**:
- (i) that was originally constructed as a **detached house, semi-detached house, or duplex**; and
  - (ii) with a minimum of 41.0 square metres of **interior floor area** for each of the first three rooms used as living accommodation, plus 7.0 square metres of **interior floor area** for each additional room used as living accommodation;
- (C) it must occupy the entire **building** and may not be combined with another use;
- (D) the **building** may have no more than 10 occupants; and
- (E) **parking spaces** must be provided at a minimum rate of 1.0 **parking space** for every three rooms used for living accommodation.

## 150.30 Senior's Community House

### 150.30.1 General

(1) Application of this Section

The regulations in Section 150.30 apply to **seniors community houses**.

### 150.30.20 Use Requirements

#### 150.30.20.1 General

(1) Seniors Community House - Use Restriction

A **seniors community house**:

- (A) must occupy the entire **building**;
- (B) may not be combined with another use; and
- (C) may not have residents, excluding staff, less than 65 years old.

(2) Seniors Community House - Location Restriction

A **seniors community house** may not be located in the area bounded on the north by Dundas St. W., on the east by Dufferin St. and the rail lines, on the south by Lake Shore Blvd. W., and on the west by Roncesvalles Ave.

### 150.30.30 Lot Requirements

#### 150.30.30.1 General

(1) Seniors Community House - Separation Distance

A **seniors community house** must be a minimum distance of 250 metres from a **lot** with a **seniors community house**, measured from nearest **lot line** to nearest **lot line**.

### 150.30.40 Building Requirements

#### 150.30.40.1 General

(1) Seniors Community House - Age of Building

A **building** with a **seniors community house** must have been constructed more than 5 years prior to it being used as a **seniors community house**, excluding additions or exterior alterations.

## 150.45 Day Nursery

### 150.45.1 General

(1) Application of this Section

The regulations in Section 150.45 apply to **day nurseries**.

### 150.45.20 Use Requirements

#### 150.45.20.1 General

(1) Day Nursery - Permitted Locations in Specified Zone Categories

In the Residential Zone category or the Residential Apartment Zone category, a **day nursery** may be in an **apartment building** or a **building** with one or more of the following uses:

- (A) **public school**;
- (B) **private school**;
- (C) **place of worship**;
- (D) **community centre**; or
- (E) library.

(2) Day Nursery - Permitted in a Detached House or Semi-Detached House in the R Zone

In addition to regulation 150.45.20(1), in the R zone, a **day nursery** may be located in a **building** that is or was originally constructed as a **detached house** or a **semi-detached house** if:

- (A) the **day nursery** occupies the entire **building**; or
- (B) the **day nursery** is in combination with a **dwelling unit** that is the principal residence of the **day nursery** operator.

### 150.45.40 Building Requirements

#### 150.45.40.1 General

(1) Day Nursery - Location in an Apartment Building

A **day nursery** in an **apartment building** must be only on the first **storey**.

(2) Day Nursery - Size Restriction in a School

A **day nursery** in a **public school** or a **private school** is subject to the following:

- (A) it must be on the first **storey**; and
- (B) its **interior floor area** may be no greater than 40% of the **gross floor area** of the first **storey** of the **building**.

### 150.45.50 Yards

#### 150.45.50.1 General

(1) Day Nursery - Yard Restrictions for a Children's Play Area

A children's play area for a **day nursery**:

- (A) in the Residential Zone category, may not be in a **front yard** or a **side yard** abutting a **street**; and
- (B) in the Residential Apartment Zone category, may be no closer to a **lot line** abutting a **street** than 6.0 metres.

## 150.48 School

### 150.48.1 General

#### (1) Application of this Section

The regulations in Section 150.48 apply to **public schools** or **private schools**.

### 150.48.20 Use Requirements

#### 150.48.20.1 General

##### (1) Adult Education School

An adult education school is permitted if:

- (A) it is in a **building** used as a **private school** or **public school** or in a **building** that was originally constructed as a **private school** or **public school**; and
- (B) the adult education school is funded by the Provincial or Federal government for:
  - (i) adult English or French as a second language courses delivered by district school boards;
  - (ii) literacy and basic skills programming delivered by community agencies or district school boards;
  - (iii) credit courses for adults delivered by district school boards;
  - (iv) continuing education programs, including general interest courses, delivered by district school boards;
  - (v) adult Aboriginal language programs delivered by district school boards; or
  - (vi) Canadian citizenship preparation programs delivered by district school boards.

##### (2) Day Nursery

A **day nursery** is permitted in a **building** used as a **private school** or a **public school**, or a **building** that was originally constructed as a **private school** or a **public school**, if:

- (A) the **day nursery** is on the first **storey**; and
- (B) the **interior floor area** used by the **day nursery** is no greater than 40% of the **interior floor area** of the first **storey** of the **building**.

### 150.48.50 Yards

#### 150.48.50.10 Landscaping

##### (1) Public School, Private School - Landscaping

A **lot** with a **public school** or a **private school** must have:

- (A) a minimum 1.5 metre wide strip of **soft landscaping**, along all **side lot lines** and **rear lot lines**; and
- (B) a minimum 3.0 metre wide strip of **soft landscaping**, along the entire length of any **lot line** abuts a **street**, excluding areas used for play, walkways, **driveways**, parking, loading, student drop-off and pick-up,

#### 150.48.50.11 Landscaping Exemptions

##### (1) Landscaping Exemptions - Existing Buildings, CR and CRE Zones

The requirements of 150.48.50.10(1) do not apply:

- (A) to a **lawfully existing building**; or
- (B) to a **building** in the CR zone or CRE zone. [ By-law: 1675-2013 ]

### 150.48.60 Ancillary Buildings and Structures



#### 150.48.60.1 General

(1) Portable Classroom Building

A portable classroom **building** may be on a **lot** with a **lawfully existing public school** or **private school** if the portable classroom **building** complies with Section 150.48 and the zone in which the **lot** is located.

#### 150.48.60.20 Setbacks

(1) Ancillary Building and Structure Setbacks

**Buildings** or **structures** that are **ancillary** to a **public school** or **private school** must:

- (A) comply with the required minimum **building setbacks** for the zone in which the **lot** is located; and
- (B) despite (A) above, a portable classroom **building** must be set back from all **lot lines** a distance equal to at least half the height of the portable classroom **building**.

#### 150.48.60.40 Height

(1) Portable Classroom Buildings - Height

A portable classroom **building** may be no more than 4.0 metres in height.

(2) Calculation of Height

The height of a portable classroom **building** is the distance between **average grade** and the highest part of the **building**, excluding permitted encroachments above the height limit for the zone in which the portable classroom **building** is located.

#### 150.48.60.41 Height Exemptions

(1) Lawfully Existing Portable Classroom Building - Height

If the **lawful** height of a **lawfully existing** portable classroom **building** in the Residential Zone category, the Residential Apartment Zone category, the Commercial Zone Category, or the IE zone is greater than the permitted maximum height, that **lawful** height is the maximum height for that **lawfully existing** portable classroom **building**.

(2) Addition or Extension or to a Lawfully Existing Portable Classroom Building

Any addition or extension to a **building** referenced in regulation 150.48.60.41(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

#### 150.48.150 Waste

##### 150.48.150.1 General

(1) Waste Storage

All waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **public school** or a **private school** is constructed pursuant to a building permit issued more than three years after May 9, 2013.

## 150.50 Place of Worship

### 150.50.1 General

#### (1) Application of this Section

The regulations in Section 150.50 apply to **places of worship**.

### 150.50.20 Use Requirements

#### 150.50.20.1 General

##### (1) Other Uses

The following uses are permitted if combined with a **place of worship**:

(A) library or reading room if it is only accessible from inside the **building**;

(B) **retail store** if:

(i) the **interior floor area** does not exceed 25 square metres;

(ii) it sells only religious goods; and

(iii) it is only accessible from inside the **building**; and

(C) **dwelling unit** if:

(i) there is one **dwelling unit**;

(ii) the **interior floor area** of the **dwelling unit** does not exceed 250 square metres; and

(iii) the **lot** with the **place of worship** is located in the Residential Zone category, the Residential Apartment Zone category, the Commercial Residential Zone category, or the Commercial Residential Employment Zone category, or in the IE zone.

### 150.50.40 Building Requirements

#### 150.50.40.10 Height

##### (1) Building Height - Architectural Elements

A minaret, steeple or similar architectural element on a **place of worship building** may exceed the permitted maximum height of the **building** by 40%, if the horizontal area of the minaret, steeple or similar architectural element is no more than 30.0 square metres.

#### 150.50.40.11 Height Exemptions

##### (1) Lawfully Existing Place of Worship - Building Height - Architectural Elements

If a **lawfully existing place of worship** has a **lawful** architectural element such as a minaret, steeple or similar architectural element that exceeds the permitted maximum height for a **building**, the maximum height for that architectural element is its **lawful** height for that **lawfully existing place of worship**.

### 150.50.50 Yards

#### 150.50.50.10 Landscaping

##### (1) Landscaping

Subject to regulation 5.10.50.10(1), if a **lot** has a **place of worship**, the **lot** must comply with the following:

(A) a minimum 1.5 metre wide strip of **soft landscaping** must be provided along the entire length of each **side lot line** and **rear lot line**;

(B) the area of the **front yard** that is not used for **vehicle** access must be **landscaping** and a minimum of 75% of the required **front yard landscaping** must be **soft landscaping**; and

(C) if the **lot** abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category, there must be, along the entire length of the part of the **lot line** abutting that **lot**:

(i) a 3.0 metre wide strip of **soft landscaping**; and

(ii) a fence.

(2) Driveway Access to a Lot Crossing a Landscaping Area

A **lot** with a **place of worship** may have a **driveway** which crosses a required **landscaping** area, if the **driveway** is no more than 6.0 metres in width.

## 150.50.150 Waste

### 150.50.150.1 General

(1) Storage of Waste

All waste and **recyclable material** must be stored in a wholly enclosed **building**, if a **place of worship** is constructed pursuant to a building permit issued more than three years after May 9, 2013.

## 150.60 Marihuana Production Facility

### 150.60.20 Use Requirements

#### 150.60.20.1 General

(1) All Activities in an Enclosed Building

A **marihuana production facility** must be in a wholly enclosed **building**. [ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

(2) Open Storage

**Open storage** is not permitted with a **marihuana production facility**. [ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

### 150.60.40 Building Requirements

#### 150.60.40.1 General

(1) Separation Distance

A **lot** with a **marihuana production facility** must be:

(A) at least 70 metres from a **lot** in a:

- (i) Residential Zone category;
- (ii) Residential Apartment Zone category;
- (iii) Commercial Zone category;
- (iv) Commercial Residential Zone category;
- (v) Commercial Residential Employment Zone category;
- (vi) Institutional Zone category; and
- (vii) Open Space Zone category; and

(B) at least 70 metres from a **lot** with a:

- (i) **public school**;
- (ii) **private school**;
- (iii) **place of worship**; and
- (iv) **day nursery**. [ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

### 150.60.60 Ancillary Building

#### 150.60.60.10 Location

(1) Location of Building or Structure Used for the Purpose of Site and Facility Security

A **building** or **structure** used for security purposes for a **marihuana production facility**:

(A) may be in the **front yard**; and

(B) is exempt from the required minimum **front yard setbacks**, **side yard setbacks** and **rear yard setbacks**. [ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

### 150.60.90 Loading

#### 150.60.90.10 Location

(1) Loading Space Location

**Loading spaces** for a **marihuana production facility** must be in a wholly enclosed **building**. [ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

## 150.80 Drive Through Facility

### 150.80.1 General

(1) Application of this Section

The regulations in Section 150.80 apply to **drive through facilities**.

### 150.80.20 Use Requirements

#### 150.80.20.1 General

(1) Drive Through Facility - Use Restriction with Residential

No person may use any land or erect or use any **building** or **structure** for the purpose of a **drive through facility** in the Residential Zone category, the Residential Apartment Zone category, the Commercial Residential Employment Zone category, or the Commercial Residential Zone category other than a CR zone where the zone label has an 'r' value of 0.0.

(2) Drive Through Facility - A Use in Combination with Other Uses

A **drive through facility** is a use that must be in combination with another use, neither of which may be construed as being **ancillary** to the other, and all regulations pertaining to each use apply.

(3) Vehicle Stacking Space Dimensions

A **vehicle** stacking space must be at least 3.0 metres wide by 6.5 metres long.

(4) Drive Through Facility - Stacking Aisle Provisions

A **drive through facility**:

(A) in combination with a use selling food or beverage, must provide at least ten **vehicle** stacking spaces in a **stacking aisle**; and

(B) not in combination with a use selling food or beverage, must provide at least four **vehicle** stacking spaces in a **stacking aisle**.

(5) Drive Through Facility - Location Restriction for Stacking Aisle

No portion of a **drive through facility stacking aisle** may be located in a **front yard** or **side yard** that abuts a **street**, unless the **lot** is in and abuts a **lot** in the E zone.

(6) Stacking Aisle Location

Despite 150.80.20(5), if a **building** located on a **corner lot** has both a **drive through facility** and a **vehicle fuel station**, the **drive through facility stacking aisle** may be located in a **side yard** between the **building** and the **street**.

### 150.80.40 Building Requirements

#### 150.80.40.1 General

(1) Drive Through Facility - Separation Distance

A **drive through facility**, including **stacking aisles**, must be at least 30.0 metres from any **lot** in the Residential Zone category, Residential Apartment Zone category, Commercial Residential Employment Zone Category, or the Commercial Residential Zone category other than a CR zone where the zone label has an 'r' value of 0.0.

## 150.90 Vehicle Dealership

### 150.90.1 General

(1) Application of this Section

The regulations in Section 150.90 apply to **vehicle dealerships**.

### 150.90.20 Use Requirements

#### 150.90.20.1 General

(1) Vehicle Dealership - Major Street Location

A **vehicle dealership** must be on a **lot** with a **front lot line** that abuts a major **street** on the Policy Areas Overlay Map.

(2) Vehicle Dealership - Outside Display and Storage

The outside display or storage of **vehicles** in combination with a **vehicle dealership** is subject to the following:

- (A) the **interior floor area** of the **vehicle dealership building** must be at least 150 square metres;
- (B) **vehicles** may not be displayed or stored in required **parking spaces**; and
- (C) the area used for the outside display or storage of **vehicles** must:
  - (i) be clearly identified and marked;
  - (ii) be at least 3.0 metres from a **lot line**;
  - (iii) have a fence installed along a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; and
  - (iv) have a minimum 3.0 metre wide strip of **soft landscaping** along the **lot line** abutting a **street**.

## 150.92 Vehicle Fuel Station

### 150.92.1 General

(1) Application of this Section

The regulations in Section 150.92 apply to **vehicle fuel stations**.

### 150.92.20 Use Requirements

#### 150.92.20.1 General

(1) Vehicle Fuel Station - Restrictions on Retail Store and Personal Service Shop

The maximum **interior floor area** for a **retail store** and **personal service shop** in combination with a **vehicle fuel station** on a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category may be no more than 140 square metres.

(2) Vehicle Fuel Stations in Combination with Other Uses

Despite regulations 5.10.1.10(2) and (3), if the requirements of this By-law for other uses in combination with a **vehicle fuel station** regulate the same area, the most restrictive regulation governs all uses on the **lot**.

(3) Vehicle Fuel Station - Outside Display and Storage

A **vehicle fuel station** may have outside display and storage if it is:

- (A) no more than 20% of the area of the **lot** outside of wholly enclosed **buildings**; and
- (B) enclosed by a fence.

(4) Vehicle Fuel Station - Propane Tank Requirement

A **lot** with a **vehicle fuel station** may have a propane tank that contains no more than 1500 litres of propane.

(5) Vehicle Fuel Station - Propane Tank Separation Requirements

If a **vehicle fuel station** has a propane tank that contains more than 100 litres of propane, the propane tank may be no closer than 7.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

### 150.92.30 Lot Requirements

#### 150.92.30.20 Lot Frontage

(1) Vehicle Fuel Station - Lot Frontage Requirements

A **lot** with a **vehicle fuel station** must have a minimum **lot frontage** of 30.0 metres

#### 150.92.30.21 Lot Frontage Exemptions

(1) Vehicle Fuel Station - Permitted Lot Frontage Requirements for Lawfully Existing Lots

If a **lawfully existing vehicle fuel station** is on a **lot** that has a **lawful lot frontage** which is less than the minimum **lot frontage** required in regulation 150.92.30.20 (1), that **lawful lot frontage** is the minimum **lot frontage** for that **lawfully existing vehicle fuel station** on that **lot**.

#### 150.92.30.30 Lot Depth

(1) Vehicle Fuel Station - Lot Depth Requirements

A **lot** with a **vehicle fuel station** must have a minimum **lot depth** of 45.0 metres.

#### 150.92.30.31 Lot Depth Exemptions



(1) **Vehicle Fuel Station - Permitted Depth Requirements for Lawfully Existing Lots**

If a **lawfully existing vehicle fuel station** is on a **lot** that has a **lawful lot depth** which is less than the minimum **lot depth** required in regulation 150.92.30.30(1), that **lawful lot depth** is the minimum **lot depth** for that **lawfully existing vehicle fuel station** on that **lot**.

**150.92.40 Building Requirements**

**150.92.40.70 Setbacks**

(1) **Vehicle Fuel Station - Building Setbacks**

A **vehicle fuel station** is subject to the following:

(A) the minimum **side yard setback** for a **building** or **structure** is the greater of:

- (i) 3.0 metres;
- (ii) 4.5 metres from a **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (iii) 7.5 metres from a **side lot line** that abuts a **street**; or
- (iv) the minimum **side yard setback** required for the zone in which it is located; and

(B) the minimum **rear yard setback** for a **building** or **structure** is the greater of:

- (i) 3.0 metres;
- (ii) 7.5 metres if the **lot** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; or
- (iii) the minimum **rear yard setback** required for the zone in which it is located.

**150.92.40.71 Setbacks Exemptions**

(1) **Vehicle Fuel Station - Permitted Building Setbacks for Lawfully Existing Buildings**

If a **lawfully existing vehicle fuel station building** or **structure** has a **lawful building setback** that is less than the required minimum **building setback** in regulation 150.92.40.70(1), that **lawful building setback** is the minimum **building setback** for that **lawfully existing vehicle fuel station building** or **structure** on that **lot**.

**150.92.50 Yards**

**150.92.50.10 Landscaping**

(1) **Vehicle Fuel Station - Soft Landscaping**

A lot with a **vehicle fuel station** must have:

- (A) a minimum 1.5 metres wide strip of **soft landscaping** along that portion of a **lot line** that abuts a **street** and is between the **street** and the portion of the **lot** used for a **vehicle fuel station**, excluding the part used for **vehicle** access to the **lot**; and
- (B) a minimum 3.0 metres wide strip of **soft landscaping** and a fence along that portion of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, and is adjacent to the **vehicle fuel station**. [ By-law: PL130592 Nov21\_2018 ]

**150.92.60 Ancillary Buildings and Structures**

**150.92.60.20 Setbacks**

(1) **Vehicle Fuel Station - Fuel Pump Island and Canopy Setbacks**

For a **vehicle fuel station**:

- (A) Despite regulation 150.92.40.70(1), the edge of a canopy that is above the fuel pumps may be no closer than 5.0 metres from a **lot line** abutting a **street**; and
- (B) Despite regulation 150.92.40.70(1), a fuel pump island may be no closer than:
- (i) 7.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; and
  - (ii) 6.0 metres from any other **lot line**.

#### 150.92.60.21 Setbacks Exemptions

(1) Vehicle Fuel Station - Permitted Minimum Distance for Lawfully Existing Canopy

If a **lawfully existing vehicle fuel station** has a canopy above the fuel pumps that is **lawfully** closer to a **lot line** abutting a **street** than is permitted in regulation 150.92.60.20(1)(A), that **lawful** distance from a **lot line** abutting a **street** is the minimum distance required for a canopy above the fuel pumps for that **lawfully existing vehicle fuel station**.

(2) Vehicle Fuel Station - Permitted Minimum Distance for Lawfully Existing Fuel Pump Island

If **lawfully existing vehicle fuel station** has a fuel pump island that is **lawfully** closer to a **lot line** than is permitted in regulation 150.92.60.20(1)(B), that **lawful** distance is the minimum distance required for a fuel pump island from that **lot line** on the **lot** for that **lawfully existing vehicle fuel station**.

#### 150.92.60.40 Height

(1) Vehicle Fuel Station Canopy Height

A **vehicle fuel station** canopy with or without structural support may not be more than 6.0 metres above the elevation of the ground directly below it.

#### 150.92.60.41 Height Exemptions

(1) Vehicle Fuel Station - Permitted Height for Lawfully Existing Canopy

If a **lawfully existing vehicle fuel station** has a canopy above the fuel pumps that has a **lawful** height greater than the permitted maximum height in regulation 150.92.60.40(1), that **lawful** height is the maximum height for a canopy for that **lawfully existing vehicle fuel station**.

#### 150.92.60.70 Lot Coverage

(1) Vehicle Fuel Station - Lot Coverage Calculation

The area of a **vehicle fuel station** canopy above the fuel pumps is not included in the calculation of **lot coverage**.

#### 150.92.100 Access to Lot

##### 150.92.100.1 General

(1) Vehicle Fuel Station - Vehicle Access and Required Landscaping

**Vehicle** access to a **lot** with a **vehicle fuel station** may cross required **landscaping**.

(2) Vehicle Fuel Station - Vehicle Access Requirements

A **lot** with a **vehicle fuel station** must have two **vehicle** access points from the **street** to the **lot** and each **vehicle** access must have a width of at least 6.0 metres and no more than 11.0 metres, measured along the **lot line** abutting a **street**.

##### 150.92.100.30 Separation

(1) Vehicle Fuel Station - Vehicle Access - Separation Distances

**Vehicle** access to a **lot** with a **vehicle fuel station** must be at least:

(A) 7.5 metres from any other **vehicle** access on the **lot**; and

(B) 3.0 metres from any **side lot line**.

(2) Vehicle Fuel Station - Vehicle Access for Corner Lots

**Vehicle** access to a **vehicle fuel station** 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**.

## 150.94 Vehicle Service Shop

### 150.94.1 General

(1) Application of this Section

The regulations in Section 150.94 apply to **vehicle service shops**.

### 150.94.20 Use Requirements

#### 150.94.20.1 General

(1) Vehicle Service Shop - Activity Limited to Inside Building

All activities of a **vehicle service shop** must take place in a wholly enclosed **building**.

### 150.94.30 Lot Requirements

#### 150.94.30.1 General

(1) Vehicle Service Shop - Vehicle Access- Permitted Width

**Vehicle** access to a **lot** with a **vehicle service shop** may have a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the **lot line** abutting a **street**.

(2) Vehicle Service Shop - Vehicle Access- Separation Distances

**Vehicle** access to a **lot** with a **vehicle service shop** must be at least:

- (A) 7.5 metres from any other **vehicle** access on the **lot**; and
- (B) 3.0 metres from any **side lot line**.

(3) Vehicle Service Shop - Vehicle Access for Corner Lots

**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**.

### 150.94.40 Building Requirements

#### 150.94.40.1 General

(1) Vehicle Service Shop - Building Setbacks

A **vehicle service shop** is subject to the following:

- (A) the minimum **side yard setback** for a **building** or **structure** is the greater of:

- (i) 3.0 metres;
- (ii) 4.5 metres from a **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (iii) 7.5 metres from a **side lot line** that abuts a **street**; or
- (iv) the minimum **side yard setback** required for the zone in which it is located; and

- (B) the minimum **rear yard setback** for a **building** or **structure** is the greater of:

- (i) 3.0 metres;
- (ii) 7.5 metres if the **lot** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; or
- (iii) the minimum **rear yard setback** required for the zone in which it is located.

### 150.94.50 Yards

**150.94.50.1 General**

(1) Vehicle Service Shop - Soft Landscaping

A **lot** with a **vehicle service shop** must have:

- (A) a minimum 1.5 metres wide strip of **soft landscaping** along the entire length of a **lot line** that abuts a **street**, excluding the part used for **vehicle** access to the **lot**; and
- (B) a minimum 3.0 metres wide strip of **soft landscaping** and a fence along the entire length of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

## 150.96 Vehicle Washing Establishment

### 150.96.1 General

(1) Application of this Section

The regulations in Section 150.96 apply to **vehicle washing establishments** with an **interior floor area** greater than 38 square metres.

### 150.96.20 Use Requirements

#### 150.96.20.1 General

(1) Vehicle Washing Establishment - Activity Limited to Inside Building

All mechanical washing, waxing and drying operations must take place within a wholly enclosed **building**.

(2) Vehicle Washing Establishment - Stacking Aisle Requirements

A mechanical **vehicle washing establishment** is subject to the following:

- (A) a minimum of 10 **vehicle** stacking spaces must be provided in a **stacking aisle** on the same **lot**; and
- (B) a **vehicle** stacking space must be at least 3.0 metres wide by 6.5 metres long.

(3) Vehicle Washing Establishment - Restrictions on Other Uses

The maximum **interior floor area** for a **retail store** and **personal service shop** on a **lot** with a **vehicle washing establishment** is 20.0 square metres.

### 150.96.30 Lot Requirements

#### 150.96.30.1 General

(1) Vehicle Washing Establishment - Location

A **vehicle washing establishment** must:

- (A) be on a **lot** that abuts a major **street** on the Policy Areas Overlay Map; and
- (B) be on a **lot** with a **front lot line** that is at least 26.0 metres wide.

(2) Vehicle Washing Establishment - Vehicle Access - Permitted Width

**Vehicle** access to a **lot** with a **vehicle washing establishment** may have a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the **lot line** abutting a **street**.

(3) Vehicle Washing Establishment - Fence Requirement

The **lot lines** abutting another **lot line** on a **corner lot** with a **vehicle washing establishment** must be fenced.

(4) Vehicle Washing Establishment - Vehicle Access - Separation Distances

**Vehicle** access to a **lot** with a **vehicle washing establishment** must be at least:

- (A) 7.5 metres from any other **vehicle** access on the **lot**; and
- (B) 3.0 metres from any **lot line**.

(5) Vehicle Washing Establishment - Vehicle Access for Corner Lots

**Vehicle** access to a **vehicle washing establishment** 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**.

### 150.96.40 Building Requirements

#### 150.96.40.1 General

(1) Vehicle Washing Establishment - Building Setbacks

A **vehicle washing establishment** is subject to the following:

(A) the minimum **side yard setback** for a **building** or **structure** is the greater of:

- (i) 3.0 metres;
- (ii) 4.5 metres from a **side lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (iii) 7.5 metres from a **side lot line** that abuts a **street**; or
- (iv) the minimum **side yard setback** required for the zone in which it is located; and

(B) the minimum **rear yard setback** for a **building** or **structure** is the greater of:

- (i) 3.0 metres;
- (ii) 7.5 metres if the **lot** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; or
- (iii) the minimum **rear yard setback** required for the zone in which it is located.

(2) Vehicle Washing Establishment - Building Setbacks from Entrance and Exit

The **vehicle** entrance and exit from a **vehicle washing establishment building** must be at least 12.0 metres from any **lot line** abutting a **street**.

## 150.100 Eating Establishment

### 150.100.1 General

(1) Application of this Section

The regulations in Section 150.100 apply to **eating establishments**.

### 150.100.20 Use Requirements

#### 150.100.20.1 General

(1) Eating Establishment - Other Uses

Other uses combined with an **eating establishment** are subject to the following:

(A) 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; and

(B) other than an **outdoor patio**, all uses must be entirely in the **building** with the **eating establishment**.

### 150.100.30 Lot Requirements

#### 150.100.30.1 General

(1) Eating Establishment - Fence Required if abutting a Lot in a Residential Zone

A **lot** with an **eating establishment** must have a fence along the portion of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

(2) Eating Establishment - Separation from Residential Zone & Residential Apartment Zone Categories

An **eating establishment** with an **interior floor area** greater than 1,000 square metres must be at least 300 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the **eating establishment** is in combination with a **hotel**.



## **150.110 Adult Entertainment Establishment**

### **150.110.1 General**

(1) Application of this Section

The regulations in Section 150.110 apply to **adult entertainment** uses.

### **150.110.30 Lot Requirements**

#### **150.110.30.1 General**

(1) Adult Entertainment - Separation Distance

A **lot** with an **adult entertainment** use must be:

- (A) at least 100 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
- (B) at least 500 metres from a **lot** with a **public school**, **private school**, or **place of worship**, or a **lot** in a IS zone or IPW zone; and
- (C) at least 500 metres from a **lot** with an **adult entertainment** use or a **body rub service**.

## **150.120 Funeral Home**

### **150.120.1 General**

(1) Application of this Section

The regulations in Section 150.120 apply to **funeral homes**.

### **150.120.30 Lot Requirements**

#### **150.120.30.1 General**

(1) Funeral Home - Location

A **funeral home** must be on a **lot** that abuts a major **street** on the Policy Areas Overlay Map.

### **150.120.50 Yards**

#### **150.120.50.1 General**

(1) Funeral Home - Fence Requirements

A **lot** with a **funeral home** must have a fence along the portion of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

### **150.120.80 Parking**

#### **150.120.80.1 General**

(1) Funeral Home - Parking Area to be Set Back

An area with **parking spaces** for a **funeral home** must be at least 1.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

## **150.130 Firing Range**

### **150.130.1 General**

(1) Application of this Section

The regulations in Section 150.130 apply to firing ranges.

### **150.130.20 Use Requirements**

#### **150.130.20.1 General**

(1) Firing Range Interpretation

A firing range or shooting range is not included in any other defined term in this By-law.

(2) Firing Range Use

A firing range or shooting range for the discharge of a firearm must be:

- (A) in an wholly enclosed **building**; and
- (B) operated by the Canadian Armed Forces, or by a public police force or other body operating under the authorization of a Municipal, Provincial or Federal government.

## Chapter 200 Parking Space Regulations

### 200.5 Regulations Applying to Parking Spaces

#### 200.5.1 General

(1) Application of This Section

The regulations in Section 200.5 apply to all **parking spaces** and **drive aisles**.

(2) Requirement to Provide Parking Spaces

**Parking spaces** must be provided collectively for each use on a **lot** in an amount that complies with the regulations in Chapter 200 Parking Space Regulations.

(3) Drive Aisle Width

The following are the minimum **drive aisle** widths:

- (A) If the centreline of a **parking space** is at an interior angle of 70 to 90 degrees to the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that one or two **lane drive aisle** is 6.0 metres;
- (B) If the centreline of a **parking space** is at an interior angle from 50 to less than 70 degrees to the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that **drive aisle** is 5.5 metres for each aisle; [ By-law: 0559-2014 (OMB PL130592) ]
- (C) If the centreline of a **parking space** is at an interior angle of less than 50 degrees from the centreline of the **drive aisle** providing **vehicle** access, the minimum width for that **drive aisle** is 4.0 metres for each aisle. [ By-law: 0559-2014 (OMB PL130592) ]

#### 200.5.1.10 Interpretation

(1) Application of Parking Space Rates in Parking Zones A and B

A **lot** located entirely or partly within Parking Zone A or Parking Zone B on the Parking Zone Overlay Map is subject to the following:

- (A) if the **buildings** on the **lot** cover at least 50 percent of the area located within 40 metres of the **lot line** that abuts the **street** in the Parking Zone, the **parking space** rates for uses in that Parking Zone apply to the entire **lot**; and
- (B) in cases other than (A) above, the applicable **parking space** rate for a use is the **parking space** requirements for uses not located in Parking Zone A or Parking Zone B. [ By-law: 89-2022 ]

(2) Parking Space Dimensions - Minimum

A **parking space** is subject to the following:

- (A) A **parking space** must have the following minimum dimensions:
  - (i) length of 5.6 metres;
  - (ii) width of 2.6 metres;
  - (iii) vertical clearance of 2.0 metres; and
  - (iv) the minimum width in (ii) must be increased by 0.3 metres for each side of the **parking space** that is obstructed according to (D) below;
- (B) For a **parking space** accessed by a **drive aisle** with a width of less than 6.0 metres, whether it is a one-way or two-way **drive aisle**, the minimum dimensions of a **parking space** are:
  - (i) length - 5.6 metres;
  - (ii) width - 2.9 metres;
  - (iii) vertical clearance - 2.0 metres; and
  - (iv) the minimum width in (ii) must be increased by 0.3 metres if one or both sides of the **parking space** is obstructed according to (D) below;
- (C) The minimum dimensions of a **parking space** that is adjacent and parallel to a **drive aisle** from which **vehicle** access is provided are:

- (i) length - 6.7 metres;
- (ii) width - 2.6 metres;
- (iii) vertical clearance - 2.0 metres; and
- (iv) the minimum width in (ii) must be increased by 0.3 metres for each side of the **parking space** that is obstructed according to (D) below; and

(D) The side of a **parking space** is obstructed if any part of a fixed object such as a wall, column, bollard, fence or pipe is situated:

- (i) within 0.3 metres of the side of the **parking space**, measured at right angles, and
- (ii) more than 1.0 metre from the front or rear of the **parking space**.

(E) Equipment for the charging of one electric **vehicle** is permitted within a **parking space**, subject to the equipment being located in the same **parking space** as the **vehicle** to be charged and:

- (i) being within 0.25 metres of two adjoining sides of the **parking space** which are not adjacent and parallel to a **drive aisle** from which **vehicle** access is provided, measured at right angles; or
- (ii) being at least 5.35 metres from a **drive aisle** from which **vehicle** access is provided, measured at right angles, and at least 1.0 metre from the ground. [ By-law: 89-2022 ]

(3) Parking Space Dimensions - Maximum

The maximum dimensions for a **parking space** are:

- (A) length of 6.0 metres
- (B) width of 3.2 metres

(4) Vertical Clearance of a Parking Space

The minimum vertical clearance for a **parking space** extends over the entire length and width of the **parking space**, excluding a wheel stop with a height of less than 18.0 centimetres.

(5) Tandem Parking Spaces

A required **parking space** may not be a **tandem parking space**, except when it is required for a **secondary suite**, **group home** or **duplex building**.

(6) Tandem Parking Space Minimum Dimensions

A **tandem parking space** must have the following minimum dimensions:

- (A) length of 5.6 metres;
- (B) width of 2.6 metres;
- (C) vertical clearance of 2.0 metres.

(7) Calculation of Required and Permitted Parking Spaces - Vacant Building Space

The minimum and maximum **parking space** rates for an area of a **building** that is vacant is calculated as follows:

- (A) the previous use of that **building** or part of the **building**;
- (B) the land use identified on the issued building permit; or
- (C) if a **building** or part of a **building** has never been used, and its intended use has never been identified in a building permit, the **parking space** requirement is based on the permitted use in the zone that has the highest maximum **parking space** requirement. [ By-law: 89-2022 ]

(8) Calculation of Parking Space Requirement

If a **parking space** rate is expressed as a ratio of **parking spaces** to the **gross floor area**, the **parking space** requirement for a use is calculated by multiplying the **gross floor area** of the use by the applicable rate found in Table 200.5.10.1 Parking Space Rates. [ By-law: 89-2022 ]

(9) Calculation of Parking Space Requirements - Rounding

If the calculation of the number of required **parking spaces** results in a number with a fraction, the number is rounded down to the nearest whole number, but there may not be less than one **parking space**.

(10) Parking Space to be Clearly Marked

All **parking spaces** required for a non-residential use must be clearly identified and marked.

(11) Parking Space Calculation -Gross Floor Area Exclusion

The **interior floor area** of that portion of a **building** used exclusively for heating, cooling, ventilation, electrical, fire emergency stairwells, elevator shafts, atriums, utility areas, storage areas in the **basement, parking space, loading space**, or a **drive aisle** used to access a **parking space** or **loading space**, is not included in the **gross floor area** for the purpose of calculating **parking space** requirements.

(12) Vehicle Access to Building - Non-residential and Apartment Parking Area

If an **apartment building, mixed use building** or a **building** with non-residential uses, has an area for parking two or more **vehicles**:

- (A) the **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.5 metres;
- (B) the **vehicle** entrance or exit for a one-way **driveway** into or out of the **building** must have a minimum width of 3.5 metres; and
- (C) in (A) and (B) above, the **vehicle** entrance or exit to the **building** must be at least 6.0 metres from the **lot line** abutting the **street**.

(13) Parking Space Access

Other than **stacked parking space** and **tandem parking spaces**, all areas used for **parking spaces** must have **driveway** access to a **street** or **lane** that is direct and unobstructed, excluding a gate, moveable barrier or similar security feature. [ By-law: 89-2022 ]

(14) Electric Vehicle Infrastructure

**Parking spaces** must be equipped with an **energized outlet**, which is clearly marked and identified for electric **vehicle** charging, in accordance with the following:

- (A) all residential **parking spaces** provided for **dwelling units** located in an **apartment building, mixed use building, "multiple dwelling unit building", detached house, semi-detached house, townhouse, duplex, triplex, fourplex**, or for a **secondary suite** or **laneway suite**, excluding visitor **parking spaces**, must include an **energized outlet** capable of providing **Level 2 charging** or higher to the **parking space**; and
- (B) in cases other than those set out in (A) above, 25 percent of the residential and non-residential **parking spaces** in a **building** must include an **energized outlet** capable of providing **Level 2** charging or higher. [ By-law: 89-2022 ]

## 200.5.10 Parking Rates

### 200.5.10.1 General

(1) Parking Space Rates

Off **street parking spaces** must be provided for every **building** or **structure** erected or enlarged, in compliance with Table 200.5.10.1 - Parking Space Rates below: [ By-law: 89-2022 ]

Table 200.5.10.1

#### PARKING SPACE RATES

Land Use Category	Parking Rate
Resident Requirement for a <b>Dwelling unit</b> in an: <b>Apartment Building</b> , Assisted Housing or a <b>Mixed Use Building</b>	<p><b>Parking spaces</b> must be provided:</p> <p>(A) in Parking Zone A (PZA) at a maximum rate of:</p> <ul style="list-style-type: none"> <li>(i) 0.3 for each bachelor <b>dwelling unit</b> up to 45 square metres and 1.0 for each bachelor <b>dwelling unit</b> greater than 45 square metres; and</li> <li>(ii) 0.5 for each one bedroom <b>dwelling unit</b>; and</li> <li>(iii) 0.8 for each two bedroom <b>dwelling unit</b>; and</li> <li>(iv) 1.0 for each three or more bedroom <b>dwelling unit</b>; and</li> </ul>

	<p>(B) in Parking Zone B (PZB) at a maximum rate of: (i) 0.7 for each bachelor <b>dwelling unit</b> up to 45 square metres and 1.0 for each bachelor <b>dwelling unit</b> greater than 45 square metres; and (ii) 0.8 for each one bedroom <b>dwelling unit</b>; and (iii) 0.9 for each two bedroom <b>dwelling unit</b>; and (iv) 1.1 for each three or more bedroom <b>dwelling unit</b>; and</p> <p>(C) in all other areas of the City, at a maximum rate of: (i) 0.8 for each bachelor <b>dwelling unit</b> up to 45 square metres and 1.0 for each bachelor <b>dwelling unit</b> greater than 45 square metres; and (ii) 0.9 for each one bedroom <b>dwelling unit</b>; and (iii) 1.0 for each two bedroom <b>dwelling unit</b>; and (iv) 1.2 for each three or more bedroom <b>dwelling unit</b>.</p>
Resident Requirement for a <b>Dwelling Unit</b> in a: <b>Detached House, Semi-detached House, Townhouse, Duplex, Triplex</b> or <b>Fourplex</b>	None
Resident Requirement for a <b>Dwelling Unit</b> in a Multiple Dwelling Unit Buildings	<b>Parking spaces</b> must be provided at a maximum rate of 1.0 for each <b>dwelling unit</b> .
<b>Secondary Suite</b>	None
Visitor Requirement:  For a <b>dwelling unit</b> in an <b>Apartment Building, a Mixed Use Building</b> , and/or a Multiple Dwelling Unit Building	<p>Parking spaces must be provided:</p> <p>(A) in Parking Zone A (PZA) at a minimum rate of 2.0 plus 0.01 per <b>dwelling unit</b>; (B) in Parking Zone B (PZB) and in all other areas of the City, at a minimum rate of 2.0 plus 0.05 per <b>dwelling unit</b>; and (C) at a maximum rate of 1.0 per <b>dwelling unit</b> for the first five (5) <b>dwelling units</b>; and (D) at a maximum rate of 0.1 per <b>dwelling unit</b> for the sixth and subsequent <b>dwelling units</b>.</p>
<p>Tier 1:</p> <p>Alternative Housing, <b>Group Home, Hospice Care Home, Nursing Home, Religious Residence, Retirement Home, Respite Care Facility</b> and <b>Seniors Community House</b></p>	<b>Parking spaces</b> must be provided at a maximum rate of 0.5 for each <b>bed-sitting room</b> or <b>dwelling unit</b> .
<p>Tier 2:</p> <p>Adult Education School, <b>Animal Shelter, Art Gallery</b>, Clinic (medical), <b>Community Centre</b>, Court of Law, <b>Day Nursery, Education Use, Hospital, Hotel, Kennel, Laboratory, Motel, Museum</b>, Office (Excluding Medical Office), <b>Performing Arts Studio, Post-Secondary School, Private School, Production Studio, Public School, Recreation Use, Religious Educational Use, Self-Storage Warehouse, Software Development and Processing, Vehicle Dealership, Veterinary Hospital</b></p>	<p>Parking spaces must be provided:</p> <p>(A) in Parking Zone A (PZA) at a maximum rate of 0.8 for each 100 square metres of <b>gross floor area</b>; (B) in Parking Zone B (PZB) at a maximum rate of 1.0 for each 100 square metres of <b>gross floor area</b>; and (C) in all other areas of the City, at a maximum rate of 3.5 for each 100 square metres of <b>gross floor area</b>.</p>
Tier 3:	<b>Parking spaces</b> must be provided at a maximum rate of 1.5 for each 100 square metres of <b>gross floor</b>

<b>Crisis Care Shelter, Municipal Shelter, Residential Care Home</b>	<b>area</b>
<p>Tier 4:</p> <p><b>Adult Entertainment, Ambulance Depot, Amusement Arcade, Artist Studio, Billiard Hall, Bowling Alley, Bus Station, Cabaret, Cemetery, Club, Contractor's Establishment, Eating Establishment, Entertainment Place of Assembly, Financial Institution, Fire Hall, Funeral Home, Gaming Establishment, Golf Course, Grocery Store, Industrial Sales and Service, Industrial Skills Training, Library, Manufacturing Uses, Medical Office, Nightclub, Park, Personal Service Shop, Pet Services, Place of Assembly, Place of Worship, Police Station, Pool Hall, Railway Service and Repair Yard, Railway Station, Retail Service, Retail Store, Service Shop, Vehicle Depot, Vehicle Fuel Station, Vehicle Repair Shop, Vehicle Service Shop, Visitation Centre, Warehouse, Wholesaling Use</b></p>	<p>Parking spaces must be provided:</p> <p>(A) in Parking Zone A (PZA) at a maximum rate of 3.5 for each 100 square metres of <b>gross floor area</b>;</p> <p>(B) in Parking Zone B (PZB) at a maximum rate of 4.0 for each 100 square metres of <b>gross floor area</b>;</p> <p>and</p> <p>(C) in all other areas of the City, at a maximum rate of 6.0 for each 100 square metres of <b>gross floor area</b>.</p>

[ By-law: 89-2022 ]

(2) Provision of Parking Spaces

**Parking spaces** provided for each use may not be:

- (A) less than the required minimum; or
- (B) greater than the permitted maximum.

(3) Parking Space Rate Ancillary Uses

A use that is **ancillary** has the same **parking space** rate as the use to which it is **ancillary**.

(4) Parking Space Permission for Uses with No Parking Requirement

If a use is not required to provide **parking spaces** by Table 200.5.10.1 of this By-law, **parking spaces** may be provided for that use if:

- (A) the use is not listed on Table 200.5.10.1; [ By-law: 1429-2017 ]
- (B) the **parking spaces** are used by the owner, occupant or visitors to the **premises**; and
- (C) the number of **parking spaces** is not:
  - (i) less than the required minimum for all uses on the **lot** by Table 200.5.10.1; and
  - (ii) greater than the permitted maximum or all uses on the **lot** by Table 200.5.10.1.

(5) Parking Space Rates - Multiple Uses on a Lot

If there are multiple uses on a **lot**, the respective minimum and maximum **parking space** rates for each use on the **lot** apply, and the total number of required **parking spaces** is the cumulative minimum total for all uses and the total number of permitted **parking spaces** is the cumulative maximum total for all uses. [ By-law: 89-2022 ]

(7) Interpretation of Minimum and Maximum Parking Space Requirement

If Table 200.5.10.1 has a minimum and maximum number of **parking spaces** for a use, the number of **parking spaces** for that use listed on the Table may not:

- (A) be less than the required minimum;
- (B) exceed the permitted maximum; and
- (C) if a minimum is not specified for a use, no **parking spaces** are required. [ By-law: 89-2022 ]

(8) Multiple Dwelling Unit Buildings Parking Rates



For calculating **parking space** requirements, a "multiple **dwelling unit building**" means two or more **residential buildings**, other than an **apartment building**, on lands where the **driveway** access to the **buildings** or to a parking area, is a common element over a "Parcel of Tied Land". For the purpose of this regulation, a "Parcel of Tied Land" has the meaning given to it in section 24 of Ontario Regulation 49/01 made under the Condominium Act, 1998, S.O. 1998,c.19, as amended.

(9) Assisted Housing Parking Rates

For the purposes of calculating **parking space** requirements, "assisted housing" means a **dwelling unit** operated by a **non-profit organization** or private sector organization in cooperation with the City of Toronto.

(10) Alternative Housing Parking Rates

For the purpose of calculating **parking space** requirements, "alternative housing" means a **dwelling unit** or **bedsitting room** owned and operated by or on behalf of the City of Toronto, or by a non-profit agency in cooperation with the City of Toronto or a private sector organization in cooperation with the City of Toronto.

## 200.5.10.11 Parking Rate Exemptions

(1) Parking Space Requirements for a Lawfully Existing Building

- (A) If the **lawful** number of **parking spaces** for a **lawfully existing building** is less than the required number of **parking spaces**, the **lawful** number of **parking spaces** is the minimum number of **parking spaces** for that **lawfully existing building**;
- (B) If the **lawful** number of **parking spaces** for a **lawfully existing building** is greater than the permitted maximum number of **parking spaces**, the **lawful** number of **parking spaces** is the maximum number of **parking spaces** for that **lawfully existing building**;
- (C) The number of **lawful parking spaces** for a **lawfully existing building** may not be reduced. [ By-law: 89-2022 ]

(2) Parking Space Requirements - Addition or Extension of a Lawfully Existing Building

Any addition or extension to a **lawfully existing building** referred to in regulation 200.5.10.11(1) must provide any additional **parking space** required by Clause 200.5.10.1, but no greater than the permitted maximum number of **parking spaces** for each use, unless authorized by a Section 45 Planning Act minor variance. [ By-law: 89-2022 ]

(3) Parking Space Requirement - Change of Use in a Lawfully Existing Building

If a **lawfully existing building** referred to in regulation 200.5.10.11(1) changes use:

- (A) the **lawfully existing** number of **parking spaces** may not be reduced; and
- (B) any additional required **parking spaces** required by Clause 200.5.10.1 must be provided or be authorized by a Section 45 Planning Act minor variance.

(4) Lawfully Existing Parking Space Located Off-Site

If the required **parking spaces** for **lawful** uses in a **lawfully existing building** are **lawfully** located on a **lot** that is not the same **lot** as the use for which the **parking spaces** are required:

- (A) those **lawful parking spaces** may be provided on another **lot** for that **lawfully existing building**, if those **lawful parking spaces** are not reduced; and
- (B) any addition or expansion to that **building** must comply with the parking requirements or be authorized by a Section 45 Planning Act minor variance.

(5) Definition of Lawful

For the purposes of Clauses 200.5.10.11, 200.5.200.5 and 200.5.200.50, the words **lawful** and **lawfully** highlighted in bold type, in addition to the definitions provided in Zoning By-law 569-2013, Chapter 800 Definitions, includes:

- (A) **buildings, structures** or uses authorized or permitted on or before February 3, 2022; and
- (B) **buildings, structures** or uses authorized after February 3, 2022 in accordance with Clauses 200.25.15.1, 200.25.15.2, 200.25.15.3 and 200.25.15.4. [ By-law: 89-2022 ]

## 200.5.200 Parking Exemptions

### 200.5.200.5 Exemptions Applying to All Zones

(1) Electric Vehicle Infrastructure for a Lawfully Existing Building

Regulation 200.5.1.10(14) does not apply to a **lawfully existing building** that was not required to provide an **energized outlet**. [ By-law: 89-2022 ]

(2) Electric Vehicle Infrastructure - Addition or Extension of a Lawfully Existing Building

Any addition or extension to a **lawfully existing building** referred to in regulation 200.5.10.11(1) must equip any additional **parking space** with an **energized outlet** required by regulation 200.5.1.10(14) or be authorized by a Section 45 Planning Act minor variance. [ By-law: 89-2022 ]

(3) Electric Vehicle Infrastructure - Change of Use in a Lawfully Existing Building

If a **lawfully existing building** referred to in regulation 200.5.10.11(1) changes use:

- (A) the **lawfully** existing number of **parking spaces** equipped with an **energized outlet** may not be reduced; and
- (B) any additional **parking spaces** must be equipped with an **energized outlet** required by regulation 200.5.1.10(14) or be authorized by a Section 45 Planning Act minor variance. [ By-law: 89-2022 ]

## 200.5.200.40 Commercial Residential Zone Category

(1) Parking Rates for Common Areas and Walkways in Commercial Malls

In the Commercial Residential Zone category, internal common areas and walkways located on the first **storey** of an enclosed commercial retail mall are required to provide **parking spaces** as follows:

- (A) if the **interior floor area** of internal common areas and walkways on the first **storey** services **retail stores** and any other use; then the **parking space** requirement for **retail stores** applies to the **interior floor area** of the common areas and walkways; and
- (B) if the **interior floor area** of internal common areas and walkways on the first **storey** services only one use; the **parking space** requirement for that use applies to the **interior floor area** of the common areas and walkways.

(2) Parking Rates for Public Common Areas and Walkways in Office Buildings

In the Commercial Residential Zone category internal common areas and walkways located on the first **storey** in an office **building** are required to provide **parking spaces** as follows:

- (A) if the total **interior floor area** of all non-office uses on the first **storey** is greater than the total **interior floor area** of all office uses on the first **storey**, then the **parking space** requirement for the non-office use applies to the common areas and walkways; and
- (B) if the total **interior floor area** of all office uses on the first **storey** is greater than the total **interior floor area** of all non-office uses on the first **storey**, then the **parking space** requirement for an office use applies to the common areas and walkways.

(3) Parking Space Requirements for Change of Non-residential Use

If a **lot** in the CR zone subject to Development Standard Set 2 (SS2) has a **building** constructed pursuant to a building permit issued on or before March 1, 1994, and the **building** covers a minimum of 75% of the **lot area**, for a change of non-residential uses in that **building**:

- (A) no additional **parking spaces** are required for a non-residential use with a higher **parking space** requirement; and
- (B) the number of **parking spaces** existing on the **lot** on March 1, 1994 or the number of **parking spaces** pursuant to the building permit may not be reduced for a non-residential use with a lower **parking space** requirement. [ By-law: 348-2021 ]

## 200.10 Regulations Applying to Visitor Parking Spaces

### 200.10.1 General

(1) Access to Visitor Parking Spaces

All **driveways** or **drive aisles** that provide **vehicle** access to visitor **parking space** must be clearly identified.

(2) Visitor Parking Space - Marking

All visitor **parking spaces** must be clearly identified and marked.

(3) Visitor Parking Space Dimensions

A visitor **parking space** must comply with the **parking space** dimensions in Section 200.5.

## 200.15 Regulations Applying to Accessible Parking Spaces

### 200.15.1 General

#### (1) Accessible Parking Space Dimensions (Minimum)

An accessible **parking space** must have the following minimum dimensions:

- (A) length of 5.6 metres;
- (B) width of 3.9 metres; and
- (C) vertical clearance of 2.1 metres.

#### (1) Accessible Parking Space Dimensions

An accessible **parking space** must have the following minimum dimensions:

- (A) length of 5.6 metres;
- (B) width of 3.4 metres; and
- (C) vertical clearance of 2.1 metres; [ By-law: 579-2017 Under Appeal ]

#### (2) Accessible Parking Space Dimensions - Parallel Parking Space

The minimum dimensions of an accessible **parking space** that is adjacent and parallel to a **drive aisle** from which **vehicle** access is provided is:

- (A) length of 7.1 metres;
- (B) width of 2.6 metres; and
- (C) vertical clearance of 2.1 metres; [ By-law: 579-2017 ]

#### (3) Barrier Free Aisle

The entire length of an accessible **parking space** must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017; [ By-law: 579-2017 Under Appeal ]

#### (4) Location of Accessible Parking Spaces

Accessible **parking spaces** must be the **parking spaces** closest to a barrier free:

- (A) entrance to a **building**;
- (B) passenger elevator that provides access to the first **storey** of the **building**; and
- (C) and shortest route from the required entrances in (A) and (B). [ By-law: 579-2017 Under Appeal ]

### 200.15.1.5 Interpretation

#### (1) Meaning of Accessible

For the purpose of Section 200.15, "accessible" means free of a physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11. [ By-law: 579-2017 ]

### 200.15.10 Parking Rate

#### 200.15.10.5 Effective Parking Spaces

##### (1) Application of Effective Parking Spaces

Effective **parking spaces** and Table 200.15.10.5 may only be used to determine the required amount of accessible **parking spaces**, in accordance with the following:

- (A) the number of effective **parking spaces** calculated from Table 200.15.10.5 is not intended to represent the total number of required accessible **parking spaces**;
- (B) effective **parking spaces** may only be used as the basis for calculating the required quantity of accessible **parking spaces**, in accordance with the rates in Regulations 200.15.10.10(1) and (2);

(C) effective **parking space** rates in Table 200.15.10.5 do not apply as a substitute for the parking rates in Table 200.5.10.1 – Parking Space Rates; and

(D) the quantity of **vehicle parking spaces** provided for a development may not apply as a substitute for the effective **parking space** requirements in the calculation of required accessible parking, except for circumstances set out in regulation 200.15.10.5(2). [ By-law: 89-2022 ]

(2) Determining Effective Parking Spaces for the Purposes of Accessible Parking

The number of effective **parking spaces** to determine accessible **parking space** requirements is the greater of the number of permitted **parking spaces** provided and the number of **parking spaces** calculated using the rates in Table 200.15.10.5. [ By-law: 89-2022 ]

(3) Calculation of Effective Parking Spaces

Regulations 200.5.1.10(7), (8), (9) and (11) apply for the calculation of effective **parking spaces** and interpretation of the rates in Table 200.15.10.5. [ By-law: 89-2022 ]

**Table 200.15.10.5**

**Parking Space Rates for Effective Parking Spaces**

Land Use Category	Rate for Calculating Effective Parking Spaces
Resident Requirement for a <b>Dwelling unit</b> in an:  <b>Apartment Building</b> , Assisted Housing or a <b>Mixed Use Building</b>	<p>The rate for calculating effective <b>parking spaces</b> is:</p> <p>(A) in Parking Zone A (PZA) at a rate of: (i) 0.3 for each bachelor <b>dwelling unit</b> up to 45 square metres and 1.0 for each bachelor <b>dwelling unit</b> greater than 45 square metres; and (ii) 0.5 for each one bedroom <b>dwelling unit</b>; and (iii) 0.8 for each two bedroom <b>dwelling unit</b>; and (iv) 1.0 for each three or more bedroom <b>dwelling unit</b>; and</p> <p>(B) in Parking Zone B (PZB) at a rate of: (i) 0.7 for each bachelor <b>dwelling unit</b> up to 45 square metres and 1.0 for each bachelor <b>dwelling unit</b> greater than 45 square metres; and (ii) 0.8 for each one bedroom <b>dwelling unit</b>; and (iii) 0.9 for each two bedroom <b>dwelling unit</b>; and (iv) 1.1 for each three or more bedroom <b>dwelling unit</b>; and</p> <p>(C) in all other areas of the City, at a rate of: (i) 0.8 for each bachelor <b>dwelling unit</b> up to 45 square metres and 1.0 for each bachelor <b>dwelling unit</b> greater than 45 square metres; and (ii) 0.9 for each one bedroom <b>dwelling unit</b>; and (iii) 1.0 for each two bedroom <b>dwelling unit</b>; and (iv) 1.2 for each three or more bedroom <b>dwelling unit</b>.</p>

Resident Requirement for a <b>Dwelling Unit</b> in a:  <b>Detached House, Semi-detached House, Townhouse, Duplex, Triplex or Fourplex</b>	None
Resident Requirement for a <b>Dwelling Unit</b> in a Multiple Dwelling Unit Buildings	The rate for calculating effective <b>parking spaces</b> is 1.0 for each <b>dwelling unit</b> .
<b>Secondary Suite</b>	None
Visitor Requirement for a <b>dwelling unit</b> in an <b>Apartment Building, a Mixed Use Building</b> , and/or a Multiple Dwelling Unit Building	The rate for calculating effective <b>parking spaces</b> is 0.1 per <b>dwelling unit</b> .
Tier 1:  Alternative Housing, <b>Group Home, Hospice Care Home, Nursing Home, Religious Residence, Retirement Home, Respite Care Facility</b> and <b>Seniors Community House</b>	The rate for calculating effective <b>parking spaces</b> is 0.2 <b>parking spaces</b> for each <b>bed-sitting room or dwelling unit</b>
Tier 2:  Adult Education School, <b>Animal Shelter, Art Gallery</b> , Clinic (medical), <b>Community Centre</b> , Court of Law, <b>Day Nursery, Education Use, Hospital, Hotel, Kennel, Laboratory, Motel, Museum</b> , Office (Excluding Medical Office), <b>Performing Arts Studio, PostSecondary School, Private School, Production Studio, Public School, Recreation Use, Religious Educational Use, Self-Storage Warehouse, Software Development and Processing, Vehicle Dealership, Veterinary Hospital</b>	The rate for calculating effective parking spaces is:  (A) in Parking Zone A (PZA) and Parking Zone B (PZB), 0.4 <b>parking spaces</b> for each 100 square metres of <b>gross floor area</b> ; and (B) in all other areas of the City, 1.0 <b>parking spaces</b> for each 100 square metres of <b>gross floor area</b> .
Tier 3:  <b>Crisis Care Shelter, Municipal Shelter, Residential Care Home</b>	The rate for calculating effective <b>parking spaces</b> is 0.2 <b>parking spaces</b> for each 100 square metres of <b>gross floor area</b>
Tier 4:  <b>Adult Entertainment</b> , Ambulance Depot, <b>Amusement Arcade, Artist Studio</b> , Billiard Hall, Bowling Alley, Bus Station, <b>Cabaret, Cemetery, Club, Contractor's Establishment, Eating Establishment, Entertainment Place of Assembly, Financial Institution</b> , Fire Hall, <b>Funeral Home, Gaming Establishment</b> , Golf Course, Grocery Store, <b>Industrial Sales and Service, Industrial Skills Training, Library, Manufacturing Uses</b> , Medical Office, <b>Nightclub</b> , Park, <b>Personal Service Shop, Pet Services, Place of Assembly, Place of Worship</b> , Police Station, Pool Hall, Railway Service and Repair Yard; Railway Station, <b>Retail Service, Retail Store, Service Shop, Vehicle Depot, Vehicle Fuel Station, Vehicle Repair Shop, Vehicle Service Shop</b> , Visitation Centre, <b>Warehouse, Wholesaling Use</b>	The rate for calculating effective <b>parking spaces</b> is:  (A) in Parking Zone A (PZA) and Parking Zone B (PZB), 1.0 <b>parking spaces</b> for each 100 square metres of <b>gross floor area</b> ; and (B) in all other areas of the City, 2.0 <b>parking spaces</b> for each 100 square metres of <b>gross floor area</b>

[ By-law: 89-2022 ]

## 200.15.10.10 Parking Rate - Accessible Parking Spaces

### (1) Accessible Parking Rates – General

In accordance with Table 200.15.10.5, if the number of **parking spaces** associated with **dwelling units** is 5 or more, or if the number of **parking spaces** associated with uses in Tiers 1, 2, 3, or 4, excluding medical offices and clinics, is 1 or more, clearly identified off **street** accessible **parking spaces** must be provided on the same **lot** as every **building or structure** erected or enlarged, as follows:

- (A) if the number of effective **parking spaces** is less than 13, a minimum of 1 **parking space** must comply with all regulations for an accessible **parking space** in Section 200.15;
- (B) if the number of effective **parking spaces** is 13 to 100, a minimum of 1 **parking space** for every 25 effective **parking spaces** or part thereof must comply with all regulations for an accessible **parking space** in Section 200.15; and
- (C) if the number of effective **parking spaces** is more than 100, a minimum of 5 **parking spaces** plus 1 **parking space** for every 50 effective **parking spaces** or part thereof in excess of 100 **parking spaces** must comply with all regulations for an accessible **parking space** in Section 200.15. [ By-law: 1048-2022 ]

(2) Accessible Parking Rates – Medical Offices and Clinics

In accordance with Table 200.15.10.5, if the number of **parking spaces** associated with medical offices and clinics is 1 or more, **parking spaces** which comply with all regulations for an accessible **parking space** in Section 200.15 must be provided, as follows:

- (A) the minimum number of accessible **parking spaces** is 10 percent of the number of effective **parking spaces**, rounded up; and
- (B) any accessible **parking spaces lawfully existing** on the **lot** must be retained. [ By-law: 1048-2022 ]

### 200.15.15 Transition: Accessible Parking Spaces

(1) Accessible Parking Spaces

An application submitted before May 26, 2017 that is eligible to proceed under clauses 200.15.15.1 through 200.15.15.3, must provide accessible **parking spaces** in compliance with 200.15.15.4 and 200.15.15.5. [ By-law: 579-2017 ]

### 200.15.15.1 Transition: Building Permit Applications

(1) Building Permit Applications

Nothing in Articles 200.15.1, 200.15.5 and 200.15.10 will prevent the erection or use of a **building** or **structure** for which an application for a building permit was filed on or prior to May 26, 2017, if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of regulations 200.15.15.4 and 200.15.15.5 below, and all finally approved minor variances. [ By-law: 579-2017 ]

(2) Building Permit Applications

For the purposes of regulation 200.15.15 (1), an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Article I, Building Permits of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code. [ By-law: 579-2017 ]

### 200.15.15.2 Transition: Zoning Certificate Applications

(1) Zoning Certificate Applications

Nothing in Articles 200.15.1, 200.15.5 and 200.15.10 will prevent the erection or use of a **building** or **structure**, in the circumstances set out in regulation 200.15.15.2 (2) for a project for which a request for a zoning certificate was filed on or prior to May 26, 2017. [ By-law: 579-2017 ]

(2) Zoning Certificate Applications

After a zoning certificate has been issued for a project that qualifies under regulation 200.15.15 (1), a building permit for that project may be issued if:

- (A) the building permit plans for the project are substantially in compliance with the plans approved with the zoning certificate referred to in regulation 200.15.15(3) and issued pursuant to Section 363-10.1 of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code; and
- (B) the project in question complies, or the building permit application for the project is amended to comply, with the provisions of regulations 200.15.15.4 and 200.15.15.5 below, and all finally approved minor variances. [ By-law: 579-2017 ]

(3) Zoning Certificate Applications

For the purposes of regulation 200.15.15.2 a "request for zoning certificate" means a request for a zoning certificate that satisfies the requirements set out in Article I, Building Permits, of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code. [ By-law: 579-2017 ]

### 200.15.15.3 Transition: Site Plan Applications

#### (1) Site Plan Approval Applications

Nothing in Articles 200.15.1, 200.15.5 and 200.15.10 will prevent the erection or use of a **building** or **structure** for a project for which a complete application for site plan approval was filed on or prior to May 26, 2017, if the project in question complies with the provisions of regulations 200.15.15.4 and 200.15.15.5 below, and all finally approved minor variances. [ By-law: 579-2017 ]

#### (2) Site Plan Approval Applications

Where a project qualifies under regulation 200.15.15.3:

- (A) the Notice of Approval Conditions and final site plan approval may be granted if the project complies with regulations 200.15.15.4 and 200.15.15.5 below, all requirements of the Planning Act, and Section 114 of the City of Toronto Act, 2006, S.O. 2006, c.11 Schedule. A; and
- (B) after a Notice of Approval Conditions or final site plan approval is received for a project that qualifies under regulation 200.15.15.3, a building permit for that project may be issued if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of regulations 200.15.15.4 and 200.15.15.5 below, the site plan approval, and all finally approved minor variances. [ By-law: 579-2017 ]

#### (3) Site Plan Approval Applications

For the purposes of regulation 200.15.15.3, a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2. [ By-law: 579-2017 ]

### 200.15.15.4 Transition: Parking Space General Requirements

#### (1) Accessible Parking Space Dimensions

An accessible **parking space** must have the following minimum dimensions:

- (A) length of 5.6 metres;
- (B) width of 3.9 metres; and
- (C) vertical clearance of 2.1 metres. [ By-law: 579-2017 ]

#### (2) Location of Accessible Parking Spaces

Accessible **parking spaces** must be the **parking spaces** located:

- (A) closest to a main pedestrian access to a **building**; and
- (B) at the same level as the pedestrian entrance to the **building**. [ By-law: 579-2017 ]

#### (3) Parking Rates - Accessible Parking Spaces

If the total **parking space** requirement is 5 or more, clearly identified off- **street** accessible **parking spaces** must be provided on the same **lot** as every **building** or **structure** erected or enlarged, in compliance with the following:

- (A) if the number of required **parking spaces** is 5 to 24, a minimum of 1 **parking space** must comply with the minimum dimensions for an accessible **parking space**;
- (B) if the number of required **parking spaces** is 25 to 100, a minimum of 1 **parking space** for every 25 **parking spaces** or part thereof must comply with the minimum dimensions for an accessible **parking space**; and
- (C) if the number of required **parking spaces** is more than 100, a minimum of 4 **parking spaces** plus 1 **parking space** for every 50 **parking spaces** or part thereof in excess of 100 **parking spaces**, must comply with the minimum dimensions for an accessible **parking space**. [ By-law: 579-2017 ]

### 200.15.15.5 Transition: Medical Office and Clinic Requirements

#### (1) Medical Office and Clinic Accessible Parking Space Rates



A minimum of 10 percent of the required **parking spaces** for a medical office established after May 26, 2017 must comply with the minimum dimensions for an accessible **parking space** and any accessible **parking spaces lawfully existing** on the **lot** must be retained. [ By-law: 579-2017 ]

#### **200.15.15.6 Transition: Accessible Parking Spaces Duration of Transition**

(1) Transition Application

Nothing in Article 200.15.15 applies so as to continue the application of these transition regulations beyond the issuance of the building permit upon which the exemptions are founded. [ By-law: 579-2017 ]

(2) Transition Clause Duration

In no case do the exemptions mentioned in Article 200.15.15 continue beyond the repeal of these transition regulations. [ By-law: 579-2017 ]

(3) Transition Regulations Repeal

Clauses 200.15.15.1, 200.15.15.2, 200.15.15.3, 200.15.15.4, 200.15.15.5 and Regulations 200.15.15.6 (1) and (2) are repealed five years after May 26, 2017. [ By-law: 579-2017 ]

## 200.20 Regulations Applying to Parking Spaces for Heritage Buildings

### 200.20.10 General

(1) Parking Space Requirements for Heritage Sites Designated Under the Ontario Heritage Act

The number of **parking spaces** required for a **heritage site** is the lesser of the requirements of Chapter 200, and the number of **parking spaces** that existed on July 20, 1993.

(2) Parking Space Requirements for Additions or Alterations to Heritage Sites Designated Under the Ontario Heritage Act

If **gross floor area** of a **building** on a **heritage site** is added to through an addition, alteration or extension or if the floor area is replaced, **parking spaces** must be provided in compliance with the requirements of this By-law or be authorized by a Section 45 Planning Act minor variance.

## 200.25 Compliance with Parking Space Regulations

### 200.25.1 General

#### (1) Lawfully Existing Buildings Exempt from Complying

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) apply to prevent the erection or use of a **lawfully existing building** or **structure**. [ By-law: 1048-2022 ]

#### (2) Definition of Lawful

For the purposes of Regulation 200.25.1(1), the words **lawful** and **lawfully** highlighted in bold type, in addition to the definitions provided in Zoning By-law 569-2013, Chapter 800 Definitions, includes existing or authorized on or before July 22, 2022. [ By-law: 1048-2022 ]

### 200.25.15 Transition: Parking Space Regulations

#### (1) Transition: Parking Space Regulations

An application submitted before July 22, 2022 that is eligible to proceed under Clauses 200.25.15.1, 200.25.15.2, 200.25.15.3 and 200.25.15.4 must comply with the requirements of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to July 22, 2022. [ By-law: 1048-2022 ]

### 200.25.15.1 Transition: Building Permit Applications

#### (1) Building Permit Applications

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) will prevent the erection or use of a **building** or **structure** for which an application for a building permit was filed on or prior to July 22, 2022, if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to July 22, 2022 and all finally approved minor variances. [ By-law: 1048-2022 ]

#### (2) Building Permit Applications

For the purposes of regulation 200.25.15.1(1), an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Article I, Building Permits of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code. [ By-law: 1048-2022 ]

### 200.25.15.2 Transition: Zoning By-law Amendment

#### (1) Zoning By-law Amendment

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) will prevent the erection or use of a **building** or **structure** for which a complete application for a zoning by-law amendment application was filed on or prior to July 22, 2022, if the project in question complies with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to July 22, 2022. [ By-law: 1048-2022 ]

#### (2) Zoning By-law Amendment

For the purposes of Regulation 200.25.15.2(1), a "complete application for a zoning by-law amendment" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2. [ By-law: 1048-2022 ]

### 200.25.15.3 Transition: Minor Variance Applications

#### (1) Minor Variance Applications

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) will prevent the erection or use of a **building** or **structure**, for which:

- (A) A complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to July 22, 2022; or
- (B) A complete application for a minor variance under Section 45 of the Planning Act was filed after July 22, 2022 in respect of a building permit referred to in Regulation 200.25.15.1(1). [ By-law: 1048-2022 ]

#### (2) Minor Variance Applications

For the purposes of Regulation 200.25.15.3(1), a "complete application for a minor variance" means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act. [ By-law: 1048-2022 ]

#### (3) Minor Variance Applications

Where a project qualifies under Clause 200.25.15.3:

- (A) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60 or with the provisions of By-law 569-2013, as amended, as it read prior to July 22, 2022; and
- (B) a building permit for that project may be issued after final approval is received for the minor variance if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to July 22, 2022 and all finally approved minor variances. [ By-law: 1048-2022 ]

### 200.25.15.4 Transition: Site Plan Applications

#### (1) Site Plan Applications

None of the provisions of 10.5.40.40(3)(C), 10.5.60.20(7), 10.5.80.10(2), 10.5.80.10(5), 10.10.60.70(1)(B), 10.10.80.1(1)(B), 40.5.40.40(9)(C), 50.5.40.40(9)(C), 60.5.80.10(1), 200.5.1.10(2)(E), 200.5.1.10(1), 200.5.1.10(7), 200.5.1.10(8), 200.5.1.10(13), 200.5.1.10(14), Table 200.5.10.1 – Parking Space Rates, 200.5.10.1(5), 200.5.10.1(7)(C), 200.5.200.5(1), (2), and (3), 200.15.10.5(1), (2), and (3), Table 200.15.10.5 – Parking Space Rates for Effective Parking Spaces, 200.15.10.10(1) and (2), 230.5.1.10(12), and 230.5.10.11(7) will prevent the erection or use of a **building** or **structure** for a project for which a complete application for site plan approval was filed on or prior to July 22, 2022, if the project in question complies with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to July 22, 2022 and all finally approved minor variances. [ By-law: 1048-2022 ]

#### (2) Site Plan Applications

For the purposes of Regulation 200.25.15.4(1), a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2. [ By-law: 1048-2022 ]

#### (3) Site Plan Applications

Where a project qualifies under Clause 200.25.15.4:

- (A) the Notice of Approval Conditions and final site plan approval may be granted if the project complies with regulations Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60 or with the provisions of By-law 569-2013, as amended, as it read prior to July 22, 2022, all requirements of the Planning Act, and Section 114 of the City of Toronto Act, 2006, S.O. 2006, c.11 Schedule. A; and

- (B) after a Notice of Approval Conditions or final site plan approval is received for a project that qualifies under Clause 200.25.15.4, a building permit for that project may be issued if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.10.15.5, 970.10.15.10, 970.10.15.40, 970.10.15.50 and 970.10.15.60, or with the provisions of By-law 569-2013, as amended, as it read prior to July 22, 2022, the site plan approval, and all finally approved minor variances. [ By-law: 1048-2022 ]

## Chapter 220 Loading Space Regulations

### 220.5 Regulations Applying to Loading Spaces

#### 220.5.1 General

(1) Application of This Section

The regulations in Section 220.5 apply to all **loading spaces** and **driveways** leading to a **loading space**.

(2) Requirement to Provide Loading Spaces

A **loading space** must be provided and maintained for each use on a **lot**, in compliance with the regulations in Chapter 220.

#### 220.5.1.10 Interpretation

(1) Loading Space Requirement Calculation

The calculation of required **loading spaces** is based on the total **gross floor area** on the **lot**.

(2) Loading Space Calculation for Multi-unit Industrial Buildings

If a **lot** in the Employment Industrial Zone category has 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**.

(3) Industrial Unit - Definition

For the purpose of calculating required **loading spaces** in Chapter 220, an "industrial unit", means the portion of a **building** used by or under the control of an individual owner or tenant.

(4) Loading Space Calculation - Gross Floor Area Exclusion

The **interior floor area** of an "industrial unit" in a **building** that is used exclusively for heating, cooling, ventilation, electrical, emergency stairwells, elevator shafts, atriums, storage in a **basement**, **parking space**, **loading space**, or a **drive aisle** used to access a **parking space** or **loading space**, is not included as **gross floor area** for the purpose of calculating **loading space** requirements. [ By-law: 451-2022 ]

(5) Required Loading Space

If one or more off **street loading spaces** is required to be provided on a **lot**, that **loading space** must be available for the use for which it is required.

(6) Loading Space Demarcation

**Loading spaces** inside a **building** must be clearly marked and identified.

(7) Minimum Loading Space Dimensions

If a **loading space** is required by this By-law for a **building** located in Policy Area 1 (PA1) that does not have a **dwelling unit**, despite the dimension requirements of Regulation 220.5.1(8), the **loading space** must have a minimum vertical clearance of 4.4 metres.

(8) Loading Space Standards

A **loading space** is subject to the following:

(A) a Type "A" **loading space** must have a:

- (i) minimum length of 17.0 metres;
- (ii) minimum width of 3.5 metres; and
- (iii) minimum vertical clearance of 4.4 metres; and

(B) a Type "B" **loading space** must have a:

- (i) minimum length of 11.0 metres;
- (ii) minimum width of 3.5 metres; and
- (iii) minimum vertical clearance of 4.0 metres; and

(C) a Type "C" **loading space** must have a:

- (i) minimum length of 6.0 metres;
  - (ii) minimum width of 3.5 metres; and
  - (iii) minimum vertical clearance of 3.0 metres; and
- (D) a Type "G" **loading space** must have a:
- (i) minimum length of 13.0 metres;
  - (ii) minimum width of 4.0 metres; and
  - (iii) minimum vertical clearance of 6.1 metres.

## 220.5.10 Loading Space Rates

### 220.5.10.1 General

(1) Loading Space Requirements

**Loading spaces** must be provided in compliance with regulations 220.5.10.1(2) to (9).

(2) Loading Space Requirements - Building Containing Dwelling Units

A **building** with **dwelling units** must provide **loading spaces** as follows:

Number of Units	Minimum Number of <b>Loading Spaces</b> Required
0 to 30 <b>dwelling units</b>	None required
31 to 399 <b>dwelling units</b>	1 Type "G"
400 <b>dwelling units</b> or more	1 Type "G" and 1 - Type "C"

(3) Loading Space Requirements - Retail Store, Eating Establishment, or Personal Service Shop

A **building** with a **retail store**, **eating establishment**, or **personal service shop** must provide **loading spaces** as follows:

Gross Floor Area	Minimum Number of <b>Loading Spaces</b> Required
0 to 499 square metres	None required
500 to 1,999 square metres	1 Type "B"
2,000 to 4,999 square metres	2 Type "B"
5,000 to 9,999 square metres	3 Type "B"
10,000 to 19,999 square metres	1 Type "A" and 3 Type "B"
20,000 to 29,999 square metres	1 Type "A", 3 Type "B" and 1 Type "C"
30,000 square metres or greater	1 Type "A", 3 Type "B" and 1 Type "C"

(4) Loading Space Requirements - Grocery stores/supermarket

A **building** with a grocery stores or supermarket must provide **loading spaces** as follows:

Gross Floor Area	Minimum Number of <b>Loading Spaces</b> Required
0 to 499 square metres	None required
500 to 999 square metres	1 Type "B"
1,000 to 1,999 square metres	1 Type "A"
2,000 to 4,999 square metres	1 Type "A" and 1 Type "B"
5,000 to 9,999 square metres	1 Type "A" and 2 Type "B"
10,000 to 19,999 square metres	2 Type "A" and 2 Type "B"
20,000 square metres and greater	2 Type "A" and 3 Type "B"

(5) Loading Space Requirements - Office

A **building** with an office must provide **loading spaces** as follows:

<b>Gross Floor Area</b>	Minimum Number of <b>Loading Spaces</b> Required
0 to 499 square metres	None required
500 to 999 square metres	1 Type "B"
1,000 to 1,999 square metres	1 Type "B" and 1 Type "C"
2,000 to 3,999 square metres	1 Type "B" and 2 Type "C"
4,000 to 27,999 square metres	2 Type "B" and 2 Type "C"
28,000 to 51,999 square metres	2 Type "B" and 3 Type "C"
52,000 square metres or greater	2 Type "B" and 3 Type "C" [ By-law: 451-2022]

(6) Loading Space Requirements - Hotel

A **building** with **hotel** must provide **loading spaces** as follows:

<b>Gross Floor Area</b>	Minimum Number of <b>Loading Spaces</b> Required
0 to 4,999 square metres	1 Type "B"
5,000 to 9,999 square metres.	1 Type "B" and 1 Type "C"
10,000 to 19,999 square metres	2 Type "B" and 1 Type "C"
20,000 to 49,999 square metres	2 Type "B" and 2 Type "C"
50,000 square metres or greater	1 Type "A", 1 Type "B" and 2 Type "C" [ By-law: 451-2022]

(7) Loading Space Requirements - Manufacturing or Warehouse Use

A **building** with **manufacturing use** or **warehouse** use must provide **loading spaces** as follows:

<b>Gross Floor Area</b>	Minimum Number of <b>Loading Spaces</b> Required
0 to 99 square metres	None
100 to 499 square metres	1 Type "C"
500 to 999 square metres	1 Type "B"
1,000 to 4,999 square metres	1 Type "A"
5,000 to 9,999 square metres	2 Type "A"
10,000 to 14,999 square metres	3 Type "A"
15,000 square metres or greater	3 Type "A" [ By-law: 451-2022 ]

(8) Loading Space Requirements - Other Select Uses

A **building** with a **passenger terminal**, **hospital** or any other use similarly involving shipping, loading or unloading of persons, animals or goods, wares or merchandise, must provide **loading spaces** as follows:

<b>Gross Floor Area</b>	Minimum Number of <b>Loading Spaces</b> Required
0 to less than 500 square metres	None
500 to less than 2300 square metres	1 Type "B"
2300 to less than 7500 square metres	2 Type "B"
7500 to less than 14000 square metres	3 Type "B"
14000 to less than 22000 square metres	4 Type "B"
22000 to less than 30000 square metres	5 Type "B"

[ By-law: 801-2020 ]

(9) Shared Loading Space Calculations



The **loading space** requirement for a **building** in Policy Area 1 (PA1) or Policy Area 2 (PA2) and which has two or more of the following uses; Office, **Retail Store**, **Eating Establishment**, **Personal Service Shop**, or **Hotel**, is the total of (A) and (B) below:

- (A) the minimum number of required Type "B" **loading spaces** is the largest number of Type "B" **loading space** required for any one of the uses listed above, plus the Type "B" **loading spaces** required for all other non-residential uses in the **building** and not listed above; plus
- (B) the minimum number of required Type "C" **loading spaces** is the largest number of Type "C" **loading spaces** required for any one of the uses listed above plus the Type "C" **loading spaces** required for all other non-residential uses in the **building** that are not listed above.

(10) Loading Space Not Required

No type "G" **loading space** is required if a **building** has less than 30 **dwelling units** and is on a **lot** with a **lot area** of less than 1,000 square metres.

(11) Loading Space Options

An **apartment building** with 400 **dwelling units** or more, may satisfy the requirement for a Type "C" **loading space** by providing instead one of the following **loading spaces**:

- (A) Type "A";
- (B) Type "B"; or
- (C) a second Type "G".

## 220.5.10.11 Loading Space Exemptions

(1) Loading Space Requirements For a Lawfully Existing Building

If the **lawful** number of **loading space** for a **lawfully existing building** is less than the required number of **loading spaces**, the **lawful** number of **loading spaces** is the minimum number of **loading spaces** for that **lawfully existing building**.

(2) Loading Space Exemption for a Non-residential Change of Use

If a **lawfully existing non-residential building** has a change of use to other than a **dwelling unit**, additional **loading spaces** are not required if:

- (A) the first **storey** of the **lawfully existing building** covers at least 75% of the **lot area**; and
- (B) the **lawful** number of **loading spaces** is not reduced.

(3) Loading Space Requirements for the Addition or Extension to a Lawfully Existing Building

Any addition or extension to a **lawfully existing building** referred to in regulation 220.5.10.11(1) must provide any additional **loading spaces** required by Clause 220.5.10.1 or be authorized by a Section 45 Planning Act minor variance

(4) Loading Space Requirements for a Change of Use in a Lawfully Existing Building

If a **lawfully existing mixed use building** referred to in regulation 220.5.10.11(1) changes use:

- (A) the **lawfully existing** number of **loading spaces** may not be reduced; and
- (B) any additional required **loading spaces** required by Clause 220.5.10.1 must be provided or be authorized by a Section 45 Planning Act minor variance.

(5) Transportation Use Along Eglinton Avenue West and Eglinton Avenue East

Regulation 220.5.10.1(8) does not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East. [103-2016] [ By-law: 1031-2014 ]

## 220.5.20 Access to Loading Space

### 220.5.20.1 General

(1) Standards for Access to a Loading Space

A **driveway** to a **loading space** must have:

- (A) a minimum width along its entire length of:

- (i) 3.5 metres for a one-way **driveway**; or
  - (ii) 6.0 metres for a two-way **driveway**; and
- (B) a minimum vertical clearance along its entire length of:
  - (i) 4.4 metres to a Type "A" or Type "G" **loading space**;
  - (ii) 4.0 metres to a Type "B" **loading space**; and
  - (iii) 3.0 metres to a Type "C" **loading space**.
- (2) Loading Space Access  
The permitted maximum slope of a **driveway** leading to a **loading space** is:
  - (A) 8% for a Type "G" **loading space**; and
  - (B) 15% in all other cases.
- (3) Vehicle Access to Building with Loading Space  
If a **loading space** is inside a **building**:
  - (A) the **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.5 metres; and
  - (B) the **vehicle** entrance or exit for a one-way **driveway** into or out of the **building** must have a minimum width of 3.5 metres, if the **vehicle** entrance or exit is 6.0 metres or more away from the **lot line** abutting a **street**.

## 220.5.200 Loading Exemptions

### 220.5.200.40 Commercial Residential Zone Category

#### (1) Loading Space Exemption- SS2 Area

If a **lot** in the CR zone is subject to Development Standard Set 2 (SS2), the **loading space** requirements for any non-residential uses do not apply to a **lot** that has **lot area** of less than 1,000 square metres.

### 220.5.200.50 Commercial Residential Employment Zone Category

#### (1) Exemption for Existing Loading Spaces

In the CRE zone, the number of **loading spaces** for a **lawfully existing building** is the lesser of the **loading spaces**:

- (A) that were **lawful** on the **lot** on January 1, 1997;
- (B) required by a building permit issued before January 1, 1997; or
- (C) permitted by regulation 220.5.10.11(1).

## 220.20 Regulations Applying to Loading Spaces in Heritage Buildings

### 220.20.1 General

(1) Loading Requirements for Heritage Sites Designated Under the Ontario Heritage Act

The number of **loading spaces** required for a designated **heritage site**, is the lesser of the requirements of Clause 220.5.10.1 or the number of **loading spaces** that existed on July 20, 1993. [ By-law: 1124-2018 ]

(2) Loading Requirements for Additions or Alterations to Heritage Sites Designated Under the Ontario Heritage Act

For a **building** on a **heritage site**, if floor area is added through an addition, alteration or extension, or if existing floor area is replaced, **loading spaces** must be provided in compliance with this By-law for that added or replaced floor area.

## Chapter 230 Bicycle Parking Space Regulations

### 230.5 General Regulations Applying to All Bicycle Parking Spaces

#### 230.5.1 General

##### 230.5.1.10 Interpretation

(1) Application of This Section

The regulations in Section 230.5 apply to all **bicycle parking spaces**.

(2) Rounding of Bicycle Parking Space Requirements

If the calculation of the minimum **bicycle parking spaces** for all uses results in a fraction of a **bicycle parking space** being required, the number of required **bicycle parking spaces** must be rounded up to the next whole number.

(3) Meaning of Long-Term Bicycle Parking and Short-Term Bicycle Parking

The terms "long-term" **bicycle parking space** and "short-term" **bicycle parking space** have the following meaning:

(A) "long-term" **bicycle parking spaces** are **bicycle parking spaces** for use by the occupants or tenants of a **building**; and

(B) "short-term" **bicycle parking spaces** are **bicycle parking spaces** for use by visitors to a **building**.

(4) Bicycle Parking Space Dimensions

A **bicycle parking space** must comply with the following:

(A) the minimum dimension of a **bicycle parking space** is:

(i) minimum length of 1.8 metres;

(ii) minimum width of 0.6 metres; and

(iii) minimum vertical clearance from the ground of 1.9 metres; and

(B) the minimum dimension of a **bicycle parking space** if placed in a vertical position on a wall, **structure** or mechanical device is:

(i) minimum length or vertical clearance of 1.9 metres;

(ii) minimum width of 0.6 metres; and

(iii) minimum horizontal clearance from the wall of 1.2 metres; and

(C) if a **stacked bicycle parking space** is provided, the minimum vertical clearance for each **bicycle parking space** is 1.2 metres.

(5) Vertical Clearance of a Bicycle Parking Area

An area used to provide **bicycle parking spaces** must have a minimum vertical clearance of:

(A) 2.4 metres if it is a **stacked bicycle parking space**; and

(B) 1.9 metres in all other cases.

(6) Long-Term Bicycle Parking Space Locational Requirement

"Long-term" **bicycle parking spaces** must be located in a **building**.

(7) Change and Shower Facilities

If a **building** has uses, other than **dwelling units**, for which a "long-term" **bicycle parking space** is required, shower and change facilities must be provided for each gender at the following rate:

(A) none if less than 5 required "long-term" **bicycle parking spaces**;

(B) 1 for 5 to 60 required "long-term" **bicycle parking spaces**;

(C) 2 for 61 to 120 required "long-term" **bicycle parking spaces**;

(D) 3 for 121 to 180 required "long-term" **bicycle parking spaces**; and

(E) 4 for more than 180 required "long-term" **bicycle parking spaces**.

(8) Bicycle Parking Space Located with Use

A **bicycle parking space** must be on the same **lot** as the use for which it is required.

(9) **Long Term Bicycle Parking Space Location**

If a **lot** is located in:

- (A) the Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone category or Employment Zone category then a required "long-term" **bicycle parking space** for uses other than **dwelling units** may be located:
  - (i) on the first **storey** of the **building**;
  - (ii) on the second **storey** of the **building**;
  - (iii) on levels of the **building** below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by **bicycle parking spaces**, until all required **bicycle parking spaces** have been provided; and
- (B) the Residential zone category, Apartment Zone Category; Commercial Residential Zone category, Commercial Residential Employment Zone category, then a required "long-term" **bicycle parking space** for a **dwelling unit** in an **apartment building** or **mixed-use building** may be located:
  - (i) on the first **storey** of the **building**;
  - (ii) on the second **storey** of the **building**;
  - (iii) on levels of the **building** below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by **bicycle parking spaces**, until all required **bicycle parking spaces** have been provided; and

(10) **Stacked Bicycle Parking Spaces**

A "long-term" **bicycle parking space** may be located in a **stacked bicycle parking space**.

(11) **Bicycle Zones**

Bicycle Zones in the City are:

- (A) Bicycle Zone 1, is the area of the City bounded by the Humber River on the west, Lawrence Ave. on the north, Victoria Park Ave. on the east and Lake Ontario on the south; and
- (B) Bicycle Zone 2, includes all areas of the City not included in Bicycle Zone 1.

(12) **Bicycle Maintenance Facilities**

If a **building** has uses for which 5 or more "long-term" **bicycle parking spaces** are required, **bicycle maintenance facilities** must be provided in the **building** with the following minimum dimensions:

- (A) minimum length of 1.8 metres;
- (B) minimum width of 2.6 metres; and
- (C) minimum vertical clearance from the ground of 1.9 metres; [ By-law: 839-2022 ]

## 230.5.10 Bicycle Parking Rates All Zones

### 230.5.10.1 General

(1) **Bicycle Parking Space Rates**

For a **building** or portion of a **building** constructed pursuant to a building permit issued more than three years after May 9, 2013, **bicycle parking spaces** must comply with Table 230.5.10.1(1).

Table 230.5.10.1(1)

#### Bicycle Parking Space Rates

Use	Bicycle Parking Space Rates	
	Short-Term Bicycle Parking Spaces	Long-Term Bicycle Parking Spaces

<b>Crisis Care Facility</b>	(None)	the minimum number of long-term <b>bicycle parking spaces</b> to be provided is 2
<b>Eating Establishment</b>	the minimum number of short-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 3 plus 0.3 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for an <b>eating establishment</b> ; and (B) in Bicycle Zone 2 is 3 plus 0.25 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for an <b>eating establishment</b> .	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.2 for each 100 square metres of <b>interior floor area</b> used for an <b>eating establishment</b> ; and (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of <b>interior floor area</b> used for an <b>eating establishment</b> .
<b>Education Use</b>	the minimum number of short-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 3 plus 0.1 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>education use</b> ; and (B) in Bicycle Zone 2 is 3 plus 0.06 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>education use</b> .	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.1 for each 100 square metres of <b>interior floor area</b> used for an <b>education use</b> ; and (B) in Bicycle Zone 2 is 0.06 for each 100 square metres of <b>interior floor area</b> used for an <b>education use</b> .
<b>Hospital</b>	the minimum number of short-term <b>bicycle parking spaces</b> is: (A) in Bicycle Zone 1 is 3 plus 0.1 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>hospital</b> ; and (B) in Bicycle Zone 2 is 3 plus 0.06 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>hospital</b> .	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.1 for each 100 square metres of <b>interior floor area</b> used for a <b>hospital</b> ; and (B) in Bicycle Zone 2 is 0.06 for each 100 square metres of <b>interior floor area</b> used for a <b>hospital</b> .
<b>Medical Office</b>	the minimum number of short-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 3 plus 0.15 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a medical office; and (B) in Bicycle Zone 2 is 3 plus 0.1 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a medical office.	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.15 for each 100 square metres of <b>interior floor area</b> used for a medical office; and (B) in Bicycle Zone 2 is 0.1 for each 100 square metres of <b>interior floor area</b> used for a medical office.
<b>Municipal Shelter</b>	(None)	the minimum number of long-term <b>bicycle parking spaces</b> to be provided is 2.
<b>Office</b>	the minimum number of short-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 3 plus 0.2 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for an office, other than a medical office; and (B) in Bicycle Zone 2 is 3 plus 0.15 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for an office, other than a medical office.	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.2 for each 100 square metres of <b>interior floor area</b> used for an office, other than a medical office; and (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of <b>interior floor area</b> used for an office, other than a medical office.
<b>Personal Service Shop</b>	the minimum number of short-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 3 plus 0.3 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>personal service shop</b> ; and (B) in Bicycle Zone 2 is 3 plus 0.25 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>personal service shop</b> .	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.2 for each 100 square metres of <b>interior floor area</b> used for a <b>personal service shop</b> ; and (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of <b>interior floor area</b> used for a <b>personal service shop</b> .
<b>Post-Secondary School</b>	the minimum number of short-term <b>bicycle parking spaces</b> : (A) in Bicycle Zone 1 is 3 plus 2.0 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>post-secondary school</b> ; and (B) in Bicycle Zone 2 is 3 plus 2.0 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>post-secondary school</b> .	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 2.0 for each 100 square metres of <b>interior floor area</b> used for a <b>post-secondary school</b> ; and (B) in Bicycle Zone 2 is 0.6 for each 100 square metres of <b>interior floor area</b> used for a <b>post-secondary school</b> .
	the minimum number of short-term <b>bicycle parking spaces</b> : (A) in Bicycle Zone 1 is 3 plus 0.3 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for <b>post-secondary school</b> offices and classrooms; and	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 1.0 for each 100 square metres of <b>interior floor area</b> used for <b>post-secondary school</b> offices and classrooms; and (B) in Bicycle Zone 2 is 0.6 for each 100 square metres of <b>interior floor area</b> used for <b>post-</b>

	(B) in Bicycle Zone 2 is 3 plus 0.18 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for <b>post-secondary school</b> offices and classrooms. [ By-law: 559-2014 Under Appeal ]	<b>secondary school</b> offices and classrooms. [ By-law: 559-2014 Under Appeal ]
<b>Private School</b>	the minimum number of short-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 3 plus 0.1 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b> ; and (B) in Bicycle Zone 2 is 3 plus 0.06 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b> .	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.1 for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b> ; and (B) in Bicycle Zone 2 is 0.06 for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b> .
<b>Public School</b>	the minimum number of short-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 3 plus 0.1 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b> ; and (B) in Bicycle Zone 2 is 3 plus 0.06 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b> .	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.1 for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b> ; and (B) in Bicycle Zone 2 is 0.06 for each 100 square metres of <b>interior floor area</b> used for a <b>public school</b> or <b>private school</b> .
<b>Retail Store</b>	the minimum number of short-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 3 plus 0.3 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>retail store</b> ; and (B) in Bicycle Zone 2 is 3 plus 0.25 <b>bicycle parking spaces</b> for each 100 square metres of <b>interior floor area</b> used for a <b>retail store</b> .	the minimum number of long-term <b>bicycle parking spaces</b> to be provided: (A) in Bicycle Zone 1 is 0.2 for each 100 square metres of <b>interior floor area</b> used for a <b>retail store</b> ; and (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of <b>interior floor area</b> used for a <b>retail store</b> .

(3) Use With Interior Floor Area of 2000 Square Metres or Less

Despite the **bicycle parking space** rates set out in regulations 230.5.10.1(1) and 230.5.10.1(5) and (6), if a **bicycle parking space** is required for uses on a **lot**, other than a **dwelling unit**, and the total **interior floor area** of all such uses on the **lot** is 2000 square metres or less, then no **bicycle parking space** is required.

(4) Multiple uses on a lot

If Table 230.5 10.1(1) Bicycle Parking Space Rates, requires a **bicycle parking space** for one or more uses on a **lot**, the total number of **bicycle parking spaces** required is equal to the cumulative total of all **bicycle parking spaces** required for each use on the **lot**.

(5) Bicycle Parking Space Requirements for Dwelling Units

**Bicycle parking space** requirements for **dwelling units** in an **apartment building** or a **mixed use building** are:

- (A) in Bicycle Zone 1, a minimum of 1.1 **bicycle parking spaces** for each **dwelling unit**, allocated as 0.9 "long-term" **bicycle parking space** per **dwelling unit** and 0.2 "short-term" **bicycle parking space** per **dwelling unit**; and [ By-law: 839-2022 ]
- (B) in Bicycle Zone 2, a minimum of 0.75 **bicycle parking spaces** for each **dwelling unit**, allocated as 0.68 "long-term" **bicycle parking space** per **dwelling unit** and 0.07 "short-term" **bicycle parking space** per **dwelling unit**.

(6) Interior Floor Area Exclusions for Bicycle Parking Space Calculations

To calculate **bicycle parking space** requirements for other than **dwelling units**, the **interior floor area** of a **building** is reduced by the area in the **building** used for:

- (A) parking, loading and bicycle parking below-ground;
- (B) required **loading spaces** at the ground level and required **bicycle parking spaces** at or above-ground;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower and change facilities and **bicycle maintenance facilities** required by this By-law for required **bicycle parking spaces**; [ By-law: 839-2022 ]
- (E) elevator shafts;
- (F) mechanical penthouse; or
- (G) exit stairwells in the **building**. [ By-law: 1774-2019 ]

**230.5.10.11 Bicycle Parking Rate Exemptions**

(1) Lawfully Existing Building - Bicycle Parking Space Not Required

Article 230.5.10 does not apply to a **lawfully existing building** that was not required to provide a **bicycle parking space**.

(2) Lawfully Existing Building - Bicycle Parking Space Requirement

If the **lawful** number of **bicycle parking spaces** for a **lawfully existing building** that was required to provide **bicycle parking spaces** is less than the required number of **bicycle parking spaces**, that **lawful** number of **bicycle parking spaces** is the minimum number of **bicycle parking spaces** for that **lawfully existing building**.

(3) Lawfully Existing Building - Shower and Change Facilities

If a **lawfully existing building** has a **lawful** number of shower and change facilities that is less than the required number of shower and change facilities, that **lawful** number of shower and change facilities is the minimum number of shower and change facilities for that **lawfully existing building**.

(4) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** referred to in regulations 230.5.10.11(1), 230.5.10.11(2) and 230.5.10.11(3) must comply with:

- (A) the **bicycle parking space** requirement, or be authorized by a Section 45 Planning Act minor variance; and
- (B) the shower and change facility requirements or be authorized by a Section 45 Planning Act minor variance.
- (C) the **bicycle maintenance facility** requirements or be authorized by a Section 45 Planning Act minor variance. [ By-law: 839-2022 ]

(5) Lawfully Existing Building - Change of Use

If there is a change of use in a **lawfully existing building** referred to in regulations 230.5.10.11(1), 230.5.10.11(2) and 230.5.10.11(3):

- (A) any additional required **bicycle parking spaces** must comply with Article 230.5.10 or be authorized by a Section 45 Planning Act minor variance;
- (B) the number of **lawful bicycle parking spaces** for that **lawfully existing building** may not be reduced; and
- (C) no additional shower and change facility is required.

(6) Lawfully Existing Building - Bicycle Parking Space Exemption For Size, Type And Location

If a **lawfully existing building** referred to in regulations 230.5.10.11(2) and 230.5.10.11(3) was required to provide **bicycle parking spaces**, those **lawful bicycle parking spaces** are not required to comply with regulations 230.5.1.10(4) to (6) and 230.5.1.10(9) and regulation 230.5.1.10(3) does not apply.

(7) Lawfully Existing Building – Bicycle Maintenance Facility Exemption

Regulation 230.5.1.10(12) does not apply to a **lawfully existing building** that was not required to provide **bicycle maintenance facilities**. [ By-law: 839-2022 ]

(8) Definition of Lawful

For the purposes of Clause 230.5.10.11, the words **lawful** and **lawfully** highlighted in bold type, in addition to the definitions provided in Zoning By-law 569-2013, Chapter 800 Definitions, includes:

- (A) **buildings, structures** or uses authorized or permitted on or before July 22, 2022; and
- (B) **buildings, structures** or uses authorized after July 22, 2022 in accordance with Clauses 230.90.15.1, 230.90.15.2, 230.90.15.3 and 230.90.15.4. [ By-law: 839-2022 ]

## 230.5.10.20 Reductions for Bicycle Parking Spaces

(1) Payment-in-Lieu of Bicycle Parking

The number of "short-term" **bicycle parking spaces** required by Regulation 230.5.10.1(5)(A) may be reduced, subject to the following:

- (A) the number of "short-term" **bicycle parking spaces** reduced is not more than half the amount required by Regulation 230.5.10.1(5)(A), rounded down to the nearest whole number;
- (B) for each "short-term" **bicycle parking space** required by Regulation 230.5.10.1(5)(A) to be reduced, the owner or occupant must provide a payment in-lieu to the City; and
- (C) the owner or occupant must enter into an agreement with the City pursuant to Section 40 of the Planning Act. [ By-law: 839-2022 ]





## **230.10 Bicycle Parking Regulations in the Residential Zone Category**

### **230.10.1 General**

#### **230.10.1.20 Standards**

(1) Bicycle Parking Space - Storage Location

In the Residential Zone category, a "long-term" **bicycle parking space** for a **dwelling unit** in an **apartment building** may not be:

- (A) in a **dwelling unit**;
- (B) on a balcony; or
- (C) in a storage locker.

(2) Location Relative to Building Entrance

If a **lot** with an **apartment building** is in the Residential Zone category, a "short-term" **bicycle parking space** may be no more than 30 metres from a pedestrian entrance to the **apartment building** on the **lot**.

## **230.20 Bicycle Parking Regulations in the Residential Apartment Zone Category**

### **230.20.1 General**

#### **230.20.1.20 Standards**

(1) Bicycle Parking Space - Storage Location

In the Residential Apartment Zone category, a "long-term" **bicycle parking space** for a **dwelling unit** in an **apartment building** may not be:

- (A) in a **dwelling unit**;
- (B) on a balcony; or
- (C) in a storage locker.

(2) Location Relative to Building Entrance

In the Residential Apartment Zone category, a "short-term" **bicycle parking space** may be no more than 30 metres from a pedestrian entrance to the **apartment building** on the **lot**.

## **230.30 Bicycle Parking Regulations in the Commercial Zone Category**

### **230.30.1 General**

#### **230.30.1.20 Standards**

(1) Bicycle Parking - Location CR Zones

In the Commercial Zone category, a **bicycle parking space** for a **dwelling unit** may not be:

- (A) in a **dwelling unit**;
- (B) on a balcony;
- (C) in a storage locker; or
- (D) in an area used for commercial space. [ By-law: 451-2022 ]

(2) Location Relative to Building Entrance

In the Commercial Zone category, a "short-term" **bicycle parking space** may be no more than 30 metres from a pedestrian entrance to the **building** on the **lot**.

## **230.40 Bicycle Parking Regulations in the Commercial - Residential Zone Category**

### **230.40.1 General**

#### **230.40.1.20 Standards**

(1) Bicycle Parking - Location CR Zones

In the Commercial Residential Zone category, a **bicycle parking space** for a **dwelling unit** may not be:

- (A) in a **dwelling unit**;
- (B) on a balcony;
- (C) in a storage locker; or
- (D) in an area used for commercial space. [ By-law: 451-2022 ]

(2) Location Relative to Building Entrance

In the Commercial Residential Zone category, a "short-term" **bicycle parking space** may be no more than 30 metres from a pedestrian entrance to the **building** on the **lot**.

## **230.50 Bicycle Parking Regulations in the Commercial Residential Employment Zone Category**

### **230.50.1 General**

#### **230.50.1.20 Standards**

(1) Bicycle Parking- Location CRE Zone Category

in the Commercial Residential Employment Zone category, a **bicycle parking space** for a **dwelling unit** must not be:

- (A) in a **dwelling unit**;
- (B) on a balcony;
- (C) in a storage locker; or
- (D) in an area used for commercial space. [ By-law: 451-2022 ]

(2) Location Relative to Building Entrance

If a **lot** in the Commercial Residential Employment Zone category has an **apartment building** or **mixed use building**, a "short-term" **bicycle parking space** may be no more than 30 metres from a pedestrian entrance to the **building** on the **lot**.

## **230.60 Bicycle Parking Regulations in the Employment Zone Category**

### **230.60.1 General**

#### **230.60.1.20 Standards**

(1) Location Relative to Building Entrance

In the Employment Zone category, a "short-term" **bicycle parking space** may be no more than 30 metres from a pedestrian entrance to the **building** on the **lot**. [ By-law: 451-2022 ]

## **230.80 Bicycle Parking Regulations in the Institutional Zone Category**

### **230.80.1 General**

#### **230.80.1.20 Standards**

(1) Bicycle Parking Space - Storage Location

In the Institutional Zone category, a "long-term" **bicycle parking space** may not be located:

- (A) in a **dwelling unit** or **bed-sitting room**;
- (B) on a balcony; or
- (C) in a storage locker.

(2) Location Relative to Building Entrance

In the Institutional Zone category, a "short-term" **bicycle parking space** may be no more than 30 metres from a pedestrian entrance to the **building** on the lot.



## 230.90 Compliance with Bicycle Parking Regulations

### 230.90.1 General

(1) Buildings Exempt from Complying

None of the provisions of 10.5.40.40(4)(D), 15.5.40.40(1)(D), 30.5.40.40(4)(D), 40.5.40.40(1)(D), 40.5.40.40(3)(D), 40.5.40.40(5)(D), 50.5.40.40(1)(D), 50.5.40.40(3)(D), 50.5.40.40(5)(D), 60.5.40.40(1)(E), 60.5.90.1(1)(E), 80.5.40.40(1)(D), 230.5.10.1(5)(A), 230.5.10.1(6)(D), 230.5.1.10(12) and 230.5.10.20 apply to prevent the erection or use of a **lawfully existing building or structure**. [ By-law: 839-2022 ]

(2) Definition of Lawful

For the purposes of Regulation 230.90.1(1), the words **lawful** and **lawfully** highlighted in bold type, in addition to the definitions provided in Zoning By-law 569-2013, Chapter 800 Definitions, includes existing or authorized on or before July 22, 2022. [ By-law: 839-2022 ]

### 230.90.15 Transition: Parking space Regulations

(1) Parking Space Regulations

An application submitted before July 22, 2022 that is eligible to proceed under Clauses 230.90.15.1, 230.90.15.2, 230.90.15.3 and 230.90.15.4 must comply with the requirements of Clauses 970.30.15.5, 970.30.15.10, 970.30.15.15, 970.30.15.30, 970.30.15.40, 970.30.15.50, 970.30.15.60 and 970.30.15.80. [ By-law: 839-2022 ]

### 230.90.15.1 Transition: Building Permit Applications

(1) Building Permit Applications

None of the provisions of 10.5.40.40(4)(D), 15.5.40.40(1)(D), 30.5.40.40(4)(D), 40.5.40.40(1)(D), 40.5.40.40(3)(D), 40.5.40.40(5)(D), 50.5.40.40(1)(D), 50.5.40.40(3)(D), 50.5.40.40(5)(D), 60.5.40.40(1)(E), 60.5.90.1(1)(E), 80.5.40.40(1)(D), 230.5.10.1(5)(A), 230.5.10.1(6)(D), 230.5.1.10(12) and 230.5.10.20 will prevent the erection or use of a **building** or **structure** for which an application for a building permit was filed on or prior to July 22, 2022, if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.30.15.5, 970.30.15.10, 970.30.15.15, 970.30.15.30, 970.30.15.40, 970.30.15.50, 970.30.15.60 and 970.30.15.80, and all finally approved minor variances. [ By-law: 839-2022 ]

(2) Building Permit Applications

For the purposes of regulation 230.90.15.1(1), an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Article I, Building Permits of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code. [ By-law: 839-2022 ]

### 230.90.15.2 Transition: Zoning By-law Amendment

(1) Zoning By-law Amendment

None of the provisions of 10.5.40.40(4)(D), 15.5.40.40(1)(D), 30.5.40.40(4)(D), 40.5.40.40(1)(D), 40.5.40.40(3)(D), 40.5.40.40(5)(D), 50.5.40.40(1)(D), 50.5.40.40(3)(D), 50.5.40.40(5)(D), 60.5.40.40(1)(E), 60.5.90.1(1)(E), 80.5.40.40(1)(D), 230.5.10.1(5)(A), 230.5.10.1(6)(D), 230.5.1.10(12) and 230.5.10.20 will prevent the erection or use of a **building** or **structure** for which a complete application for a zoning by-law amendment application was filed on or prior to July 22, 2022, if the project in question complies with the provisions of Clauses 970.30.15.5, 970.30.15.10, 970.30.15.15, 970.30.15.30, 970.30.15.40, 970.30.15.50, 970.30.15.60 and 970.30.15.80. [ By-law: 839-2022 ]

(2) Zoning By-law Amendment

For the purposes of Regulation 230.90.15.2(1), a "complete application for a zoning bylaw amendment" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2. [ By-law: 839-2022 ]

### 230.90.15.3 Transition: Minor Variance Applications

(1) Minor Variance Applications

None of the provisions of 10.5.40.40(4)(D), 15.5.40.40(1)(D), 30.5.40.40(4)(D), 40.5.40.40(1)(D), 40.5.40.40(3)(D), 40.5.40.40(5)(D), 50.5.40.40(1)(D), 50.5.40.40(3)(D), 50.5.40.40(5)(D), 60.5.40.40(1)(E), 60.5.90.1(1)(E), 80.5.40.40(1)(D), 230.5.10.1(5)(A), 230.5.10.1(6)(D), 230.5.1.10(12) and 230.5.10.20 will prevent the erection or use of a **building** or **structure**, for which:

- (A) A complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to July 22, 2022; or
- (B) A complete application for a minor variance under Section 45 of the Planning Act was filed after July 22, 2022 in respect of a building permit referred to in Regulation 230.90.15.1(1). [ By-law: 839-2022 ]

(2) Minor Variance Applications

For the purposes of Regulation 230.90.15.3(1), a "complete application for a minor variance" means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act. [ By-law: 839-2022 ]

(3) Minor Variance Applications

Where a project qualifies under Clause 230.90.15.3:

- (A) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of Clauses 970.30.15.5, 970.30.15.10, 970.30.15.15, 970.30.15.30, 970.30.15.40, 970.30.15.50, 970.30.15.60 and 970.30.15.80; and
- (B) a building permit for that project may be issued after final approval is received for the minor variance if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.30.15.5, 970.30.15.10, 970.30.15.15, 970.30.15.30, 970.30.15.40, 970.30.15.50, 970.30.15.60 and 970.30.15.80 and all finally approved minor variances. [ By-law: 839-2022 ]

## **230.90.15.4 Transition: Site Plan Applications**

(1) Site Plan Applications

None of the provisions of 10.5.40.40(4)(D), 15.5.40.40(1)(D), 30.5.40.40(4)(D), 40.5.40.40(1)(D), 40.5.40.40(3)(D), 40.5.40.40(5)(D), 50.5.40.40(1)(D), 50.5.40.40(3)(D), 50.5.40.40(5)(D), 60.5.40.40(1)(E), 60.5.90.1(1)(E), 80.5.40.40(1)(D), 230.5.10.1(5)(A), 230.5.10.1(6)(D), 230.5.1.10(12) and 230.5.10.20 will prevent the erection or use of a **building** or **structure** for a project for which a complete application for site plan approval was filed on or prior to July 22, 2022, if the project in question complies with the provisions of Clauses 970.30.15.5, 970.30.15.10, 970.30.15.15, 970.30.15.30, 970.30.15.40, 970.30.15.50, 970.30.15.60 and 970.30.15.80, and all finally approved minor variances. [ By-law: 839-2022 ]

(2) Site Plan Applications

For the purposes of Regulation 230.90.15.4(1), a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2. [ By-law: 839-2022 ]

(3) Site Plan Applications

Where a project qualifies under Clause 230.90.15.4:

- (A) the Notice of Approval Conditions and final site plan approval may be granted if the project complies with Clause 970.30.15.5, all requirements of the Planning Act, and Section 114 of the City of Toronto Act, 2006, S.O. 2006, c.11 Schedule A; and
- (B) after a Notice of Approval Conditions or final site plan approval is received for a project that qualifies under Clause 230.90.15.4, a building permit for that project may be issued if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of Clauses 970.30.15.5, 970.30.15.10, 970.30.15.15, 970.30.15.30, 970.30.15.40, 970.30.15.50, 970.30.15.60 and 970.30.15.80, the site plan approval, and all finally approved minor variances. [ By-law: 839-2022 ]

## **Chapter 280 Special Districts - Downtown**

### **280.5 General Regulations Applying to the Downtown**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

## **Chapter 300 Special Districts - Centres**

### **300.5 Regulations Applying to All Centres**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

### **300.10 North York Centre**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

## **300.20 Scarborough Centre**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

### **300.30 Etobicoke Centre**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

## **Chapter 400 Special Districts - Avenues**

### **400.5 General Regulations Applying to Special Districts - Avenues**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)



#### **400.10 Specific Regulations for Special Districts - Avenues**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

## **Chapter 500 Special Districts - Heritage**

### **500.5 General Regulations Applying to Heritage Zones**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

## **500.10 Zone Regulations**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

## **Chapter 600 Regulations for Overlay Zones**

### **600.5 General Regulations Applying to Overlay District**

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

#### **600.5.1 General**

##### **600.5.1.10 Interpretation**

(1) Purpose of a Community Overlay District Map

A Community Overlay District Map may alter, add or remove some of the regulations affecting the use of land within an area depicted on the Community Overlay District Map. [ By-law: 1050-2013(LPAT) ]

## 600.10 Building Setback Overlay District Map

### 600.10.10 Building Setback Overlay District "A"

#### (1) District "A" Building Setback

The areas within the heavy lines on the Building Setback Overlay District Map in Diagram 1 of By-law 1107-2016 identified as area 'Toronto Downtown' are subject to the following:

- (A) Despite clauses 10.10.40.70, 15.10.40.70, 15.20.40.70 and 50.10.40.70 and regulations 10.5.40.71(2), (3), (4) and (6), 15.5.40.71(2), 40.5.40.71(2), 40.10.40.70(1)(2) and (3), 50.5.40.71(2), every **building** with a height greater than 36.0 metres must maintain a **building setback** as follows for the portions of the **building** that collectively enclose the entirety of a **storey** with a height greater than 24.0 metres:
  - (i) the greater of:
    - (a) 3.0 metres from a **lot line** that abuts a **street**; and
    - (b) 12.5 metres from the centre line of that abutting **street**.
  - (ii) at least 12.5 metres from the centre line of an abutting **lane**; and
  - (iii) at least 12.5 metres from a **lot line** having no abutting **street** or **lane**.
- (B) Despite clauses 40.10.40.80 and 50.10.40.80 and regulations 10.10.40.80(1), 15.10.40.80(1) and (2), 15.20.40.80(1)(2) and (3), every **building** with a height greater than 36.0 metres must be separated by at least 25.0 metres from each other **building** with a height greater than 36.0 metres on the same **lot**, measured only for the portions of the **buildings** that collectively enclose the entirety of a **storey** with a height greater than 24.0 metres.
- (C) If a line projected at a right angle from a **main wall** of a **building** with a height greater than 36.0 metres intercepts another **main wall** of the same **building**, those **main walls** must be separated by a minimum of 25.0 metres, measured only for the portions of the **building** that collectively enclose the entirety of a **storey** with a height greater than 24.0.
- (D) Despite regulations 10.5.40.60(3) and (6), 15.5.40.60(3), 40.10.40.60 (3) and (6), 50.10.40.60 (3) and (6) for a **building** that has a height greater than 36.0 metres, the following projections attached to the portions of the **building** that collectively enclose the entirety of a **storey** with a height greater than 24.0 metres must not encroach into the **building setbacks** required in regulation 600.10.10(1)(A):
  - (i) bay windows;
  - (ii) box windows;
  - (iii) other window projections;
  - (iv) other window projections;
  - (v) access ramps;
- (E) Despite clauses 10.5.40.60, 15.5.40.60, 40.10.40.60 and 50.10.40.60, for a **building** that has a height greater than 36.0 metres, the following **building** elements attached to the portions of the **building** that collectively enclose the entirety of a **storey** with a height greater than 24.0 metres may encroach into the **building setback** and separation distances required in regulations 600.10.10(1)(A), 600.10.10(1)(B) and 600.10.10(1)(C):
  - (i) a platform, such as a balcony, projecting not more than 1.5 metres;
  - (ii) a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform which complies with regulation 600.10.10(1)(E)(i), projecting not more than 1.5 metres;
  - (iii) if the **building** is at least 5 years old, cladding added to the original exterior surface of the **main wall** of the **building**, projecting not more than 0.15 metres;
  - (iv) architectural features, including a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature, projecting not more than 0.3 metres;
  - (v) eaves, projecting not more than 0.9 metres; and
  - (vi) equipment, including a vent or pipe, projecting not more than 0.6 metres.
- (F) Despite the regulations in 600.10.10(1)(E), **building** elements which are permitted to encroach into either the **building setback** required in regulation 600.10.10.(1)(A) or the separation distances required in regulations 600.10.10(1)(B) and 600.10.10(1)(C) must not penetrate into a required **angular plane**. [ By-law: 1107-2016 ]

#### (2) Building Constructed According to Building Permit

None of the provisions of Article 600.10.10 Building Setback Overlay District "A" apply to prevent the erection or use of a **building or structure** constructed pursuant to a building permit issued prior to October 4, 2016. [ By-law: 1107-2016 ]

(3) Building in Institutional Zone Category

None of the provisions of Article 600.10.10 Building Setback Overlay District "A" apply to prevent the erection or use of a **building or structure** on lands located within a zone in the Institutional Zone category as set out in Article 1.40.80, provided the use of such **building or structure** is a use identified as permitted in an Institutional Zone category. [ By-law: 1107-2016 ]

(4) Prevailing Site Specific By-laws

None of the provisions of this Article 600.10.10 Building Setback Overlay District "A" apply to prevent the erection or use of a **building or structure** permitted by any one or more of the following amending by-laws to the **Former General Zoning By-law** 438-86 and/or by any one or more of the following amending by-laws to this By-law including as such may be amended pursuant to a Section 34 Planning Act By-law or varied by a Section 45 Planning Act minor variance:

By-law 1980-0097 – Respecting Ryerson University;  
By-law 1980-0831 – Respecting 399 Bathurst Street (University Health Network);  
By-law 1988-0998 – Respecting 40 Temperance Street;  
By-law 1989-0527 – Respecting Ryerson University;  
By-law 1994-0605 – Respecting 40 Temperance Street;  
By-law 1996-0483 – Respecting 7, 15, 25R, 29 and 39 Queens Quay East;  
By-law 1999-0068 – Respecting 30 Bond Street (St. Michael's Hospital);  
By-law 2002-0927 – Respecting 381-411 Richmond Street East and 424-460 Adelaide street East;  
By-law 2003-0101 – Respecting 837 and 837R Yonge Street;  
By-law 2005-0141 – Respecting the Regent Park Area;  
By-law 2005-0180 – Respecting 30 Mutual Street and 88 Queen Street East;  
By-law 2006-0460 – Respecting 40 Temperance Street;  
By-law 2006-1049 – Respecting the East Bayfront – West Precinct;  
By-law 2008-0060 – Respecting 4, 6 and 8 St. Thomas Street and 100-110 Charles Street West;  
By-law 2008-0860 – Respecting 1 Front Street East, and 5 and 7 The Esplanade;  
By-law 2009-0912 – Respecting 399 Bathurst Street (University Health Network);  
By-law 2009-0943 – Respecting the Regent Park Area;  
By-law 2010-0490 – Respecting 46-52 Spadina Avenue and 378 Wellington Street West;  
By-law 2010-0787 – Respecting 2 Bloor Street West;  
By-law 2010-1041 – Respecting 335 King Street West, 355 King Street West and 119 Blue Jays Way;  
By-law 2010-1046 – Respecting 880 Bay Street, a portion of 900 Bay Street and 60 Grosvenor Street;  
By-law 2010-1118 – Respecting 203 Jarvis Street;  
By-law 2010-1129 – Respecting 99 Blue Jays Way;  
By-law 2010-1174 – Respecting the Keating Channel Precinct West;  
By-law 2012-0523 – Respecting 94 Cumberland Street and 24 and 25 Bellair Street;  
By-law 2012-0680 – Respecting 7, 15, 25R, 29 and 39 Queen Quay East;  
By-law 2012-1035 – Respecting 571 Dundas Street West, 21, 21a, 23, 23a, 91 Augusta Avenue, 73-75 Augusta Square and 20 Vanauley Street;  
By-law 2012-1048 – Respecting 576, 578 and 580 Front Street West, 25 and 27 Bathurst Street, 33 and 35 and 49 Niagara Street;  
By-law 2012-1049 – Respecting 1, 3, 5, 7 and 9 Sultan Street, and 11 St. Thomas Street;  
By-law 2012-1556 – Respecting 357-363 King Street West and 62 Peter Street;  
By-law 2013-0444 – Respecting 261 Queens Quay East;  
By-law 2013-0623 – Respecting 281-289 Avenue Road;  
By-law 2013-0817 – Respecting 2, 6 and 8 Gloucester Street and 601-613 Yonge Street;  
By-law 2013-0826 – Respecting 159 Wellesley Street East;  
By-law 2013-1043 – Respecting 951 to 971 Bay Street and 36 Wellesley Street West;  
By-law 2013-1050 – Respecting 27-37 Yorkville Avenue and 26-32 and 50 Cumberland Street;  
By-law 2013-1084 – Respecting 21 Avenue Road;  
By-law 2013-1291 – Respecting 480 University Avenue;  
By-law 2013-1341 – Respecting 200 Dundas Street East, 241-251 Jarvis Street and 280 George Street;  
By-law 2013-1498 – Respecting 1 The Esplanade;  
By-law 2013-1502 – Respecting 388 King Street West and 82 Peter Street;  
By-law 2013-1503 – Respecting 81 and 87 Peter Street;  
By-law 2013-1504 – Respecting 523, 525 and 525A Adelaide Street West;  
By-law 2013-1523 – Respecting 197, 197R and 201 Yonge Street and 15 Shuter Street;  
By-law 2013-1710 – Respecting 571 Dundas Street West, 21, 21a, 23, 23a, 91 Augusta Avenue, 73-75 Augusta Square and 20 Vanauley Street;

By-law 2013-1724 – Respecting 454-464 Yonge Street;  
By-law 2013-1725 – Respecting 595 Bay Street, 14-80 Dundas Street West and 304-316 Yonge Street;  
By-law 2014-0086 – Respecting 64-70 Shuter Street;  
By-law 2014-0133 – Respecting 545, 555, 565 Sherbourne Street;  
By-law 2014-0139 – Respecting 501-521 Yonge Street, 6-8 Alexander Street and 23 Maitland Street;  
By-law 2014-0275 – Respecting the Regent Park Area;  
By-law 2014-0303 – Respecting 17 Dundonald Street;  
By-law 2014-0693 – Respecting 547, 549 and 555 College Street;  
By-law 2014-0699 – Respecting 523, 525 and 525A Adelaide Street West;  
By-law 2014-1011 – Respecting lands located on the north side of Dupont Street from Ossington Avenue to Kendal Avenue;  
By-law 2014-1027 – Respecting 156-174 Front Street West and 43-51 Simcoe Street;  
By-law 2014-1028 – Respecting 186-188 Jarvis Street;  
By-law 2014-1039 – Respecting 50-60 and 62-64 Charles Street East and 47 and 61 Hayden Street;  
By-law 2014-1040 – Respecting 50-60 and 62-64 Charles Street East and 47 and 61 Hayden Street;  
By-law 2014-1041 – Respecting 324, 326, 328 and 332 Richmond Street West;  
By-law 2014-1051 – Respecting 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street;  
By-law 2014-1061 – Respecting 57 Spadina Avenue;  
By-law 2014-1063 – Respecting 5 to 25 Wellesley Street West and 14 to 26 Breda Lane and 155 St. Luke Lane;  
By-law 2014-1078 – Respecting 219 Queen Street West;  
By-law 2014-1081 (OMB) – Respecting 24 Mercer Street;  
By-law 2015-0391 – Respecting 47-55 St George Street;  
By-law 2015-0645 – Respecting 836-850 Yonge Street and 1-9A Yorkville Avenue;  
By-law 2015-0646 – Respecting 836-850 Yonge Street and 1-9A Yorkville Avenue;  
By-law 2015-0806 – Respecting 231-237 College Street and 177-189 Huron Street;  
By-law 2015-0811 – Respecting 424-460 Adelaide Street East;  
By-law 2015-0837 – Respecting 355 Church Street;  
By-law 2015-1042 – Respecting 270-288 Church Street, 101-105 Bond Street and 111 Bond Street;  
By-law 2015-1049 – Respecting 27-37 Yorkville Avenue and 26-32 and 50 Cumberland Street;  
By-law 2015-1050 – Respecting 27-37 Yorkville Avenue and 26-50 Cumberland Street;  
By-law 2015-1275 – Respecting 375, 375R and 379 and 381 Queen Street West;  
By-law 2015-1366 – Respecting 500 Lake Shore Boulevard West;  
By-law 2016-0132 – Respecting 20 to 26 Lombard Street and 25 Richmond Street East;  
By-law 2016-0239 – Respecting 602-622 King Street West, 499-505 Adelaide Street West and 1 and 11 Adelaide Place;  
By-law 2016-0273 – Respecting 40-58 Widmer Street;  
By-law 2016-0382 – Respecting 175-191 Dundas Street East and 235 Jarvis Street;  
By-law 2016-0524 (OMB) – Respecting 40 Wellesley Street East;  
By-law 2016-0529 – Respecting 70 and 72 Carlton Street;  
By-law 2016-0671 – 604-618 Richmond Street West;  
By-law 2016-0757 – Respecting 11 and 33 Centre Avenue and 80 Chestnut Street;  
By-law 2016-0758 – Respecting 11 and 33 Centre Avenue and 80 Chestnut Street;  
By-law 2016-0778 – Respecting 587-599 Yonge Street, 2 and 4 Dundonald Street, and 7 and 9 Gloucester Street;  
By-law 2016-0780 – Respecting 245, 251 and 255 College Street, 39 and 40 Glasgow Street;  
By-law 2016-1047 – Respecting 143-177 Lake Shore Boulevard East, 26 Richardson Street and 130-132 Queens Quay East;  
By-law 2016-1284 – Respect 250 Davenport Road;  
By-law 2016-1285 – Respecting 250 Davenport Road;  
By-law 2017-0788 – Respecting 60 Shuter Street and 187 and 189 Church Street;  
By-law 2017-0789 – Respecting 60 Shuter Street and 187 and 189 Church Street;  
By-law 2017-0859 – Respecting 154 Front Street East;  
By-law 2017-0974 (OMB) – Respecting 50 Wellesley Street East and 31-35 Dundonald Street;  
By-law 2017-0975 (OMB) – Respecting 50 Wellesley Street East and 31-35 Dundonald Street;  
By-law 2017-1091 – Respecting 60 Shuter Street and 187 and 189 Church Street;  
By-law 2017-1092 – Respecting 60 Shuter Street and 187 and 189 Church Street;  
By-law 2017-1255 – Respecting 7 Labatt Avenue and 77 River Street;  
By-law 2017-1256 – Respecting 7 Labatt Avenue and 77 River Street;  
By-law 2017-1479 – Respecting 81 Wellesley Street East;  
By-law 2018-0591 – Respecting 89 Avenue Road;  
By-law 2018-0592 (LPAT) – Respecting 283 Adelaide Street West;  
By-law 2019-0398 – Respecting 81 Wellesley Street East;  
By-law 2019-1528 – Respecting 545, 555, 561, 565, 583, 589, 591, 595, 599 and 601 Sherbourne Street, 306-334

Bleecker Street, 346-350 Bleecker Street, 354-368 Bleecker Street, 60-68 Earl Street, 280-294 Bleecker Street, 61 Earl Street and 3-7 Howard Street;

By-law 2019-1529 – Respecting 545, 555, 561, 565, 583, 589, 591, 595, 599 and 601 Sherbourne Street, 306-334

Bleecker Street, 346-350 Bleecker Street, 354-368 Bleecker Street, 60-68 Earl Street, 280-294 Bleecker Street, 61 Earl Street and 3-7 Howard Street;

By-law 2019-1548 (LPAT) – Respecting 170 Spadina Avenue and 3, 5, and 7 Cameron Street;

By-law 2020-0764 (OMB) – Respecting 225 Jarvis Street;

By-law 2020-0765 (OMB) - Respecting 225 Jarvis Street;

By-law 2020-365 (LPAT) – Respecting 489, 495, 499, 511, 519-529 and 539 King Street West; and

By-law 2020-366 (LPAT) – Respecting 489, 495, 499, 511, 519-529 and 539 King Street West; [ By-law: 1107-2016 ]

(5) Prevailing By-laws in Former General Zoning By-law 438-86

None of the provisions of 600.10.10(1)(A), 600.10.10(1)(B), 600.10.10(1)(C) and 600.10.10(D) and (E) apply to prevent the erection of a **building** or **structure** if the site specific exception existing on a **lot** on October 4, 2016 includes either of the following as a Prevailing By-law and Prevailing Section:

(A) Section 12(2) 122 of **Former General Zoning By-law 438-86**;

(B) Section 12(2) 229 of **Former General Zoning By-law 438-86**; and

(C) Section 12(2) 250 of **Former General Zoning By-law 438-86**. [ By-law: 1107-2016 ]

(6) Prevailing By-laws in Former General Zoning By-law 438-86

None of the provisions of this Article 600.10.10 Building Setback Overlay District "A" apply to prevent the erection or use of a **building** or **structure** permitted by the following Section 45 Planning Act minor variances:

Minor Variance No. A0771/05TEY – Respecting 130 Bloor Street West;

Minor Variance No. A0330/07TEY – Respecting 130 Bloor Street West;

Minor Variance No. A0728/07TEY – Respecting 456 Wellington Street West;

Minor Variance No. A0728/16TEY – Respecting 44 Gerrard Street East and 55 McGill Street;

Minor Variances authorized by the Ontario Municipal Board in File No. PL170398 (Committee of Adjustment File No.

A221/16TEY) – Respecting 255-259 Wellington Street West, and 36 Windsor Street;

Minor Variance No. A0960/18TEY – Respecting 2 – 8 St. Thomas St; and

Minor Variance No. A1046/14TEY – Respecting 2 – 8 St. Thomas St. [ By-law: 1107-2016 ]

(7) Definitions in Former General Zoning By-law 438-86

The **Former General Zoning By-law 438-86**, including the definitions, as amended, as they read on October 4, 2016, apply to assist in the interpretation of any minor variance referred to in the context of Regulations 600.10.10 (4) and (5) of this By-law.

[OLT Decision PL161316 issued December 31, 2021] [ By-law: 1107-2016 ]



## 600.20 Priority Retail Streets Overlay Map

### 600.20.10 Priority Retail Streets Overlay District "A"

#### (1) District "A" Priority Retail Street

On a lot in the CR, CRE, I or IH zone, which abuts a **street** identified as a priority retail street on the Priority Retail Streets Overlay Map:

- (A) The first **storey** of a **mixed-use building** or **non-residential building** must provide a minimum of 60 percent of the **lot frontage** abutting the priority retail **street** for one or more of the following uses, provided that any use must be otherwise permitted on that **lot** by this By-law:

Ambulance Depot  
**Art Gallery**  
**Artist Studio**  
**Automated Banking Machine**  
Clinic  
**Club**  
**Community Centre**  
**Custom Workshop**  
**Day Nursery**  
**Eating Establishment**  
**Education Use**  
**Entertainment Place of Assembly**  
**Financial Institution**  
Fire Hall  
**Hospital**  
Library  
**Massage therapy**  
Medical Office  
**Museum**  
Office  
**Performing Arts Studio**  
**Personal Service Shop**  
**Pet Services**  
**Place of Assembly**  
**Place of Worship**  
Police Station  
**Post-Secondary School**  
**Private School**  
**Production Studio**  
**Public School**  
**Recreation Use**  
**Retail Service**  
**Retail Store**  
**Service Shop**  
**Sports Place of Assembly**  
**Take-out Eating Establishment**  
**Veterinary Hospital**  
**Wellness centre**

- (B) A cumulative maximum of 15.0 metres of **lot frontage** for the following uses may be used for the purpose of meeting the requirement of Regulation (A) above;

Ambulance Depot  
**Art Gallery**  
**Automated Banking Machine**  
Clinic  
**Club**  
**Community Centre**  
**Education Use**  
**Entertainment Place of Assembly**

**Financial Institution**

Fire Hall

**Hospital**

**Laboratory**

Library

**Massage therapy**

Medical Office

**Museum**

Office

**Performing Arts Studio**

**Place of Assembly**

**Place of Worship**

Police Station

**Post-Secondary School**

**Private School**

**Production Studio**

**Public School**

**Recreation Use**

**Sports Place of Assembly**

**Veterinary Hospital**

**Wellness centre**

(C) Each use provided in accordance with regulation (A) above, must have a main pedestrian entrance:

- (i) located parallel to and within 5.0 metres of the **lot line** abutting the priority retail **street**; and
- (ii) within 0.2 metres of the ground measured at the **lot line** abutting the **street** directly opposite the entrance;

(D) For each use provided in accordance with regulation (A) above, a minimum of 60 percent of the surface area of the **main wall** of the first **storey** facing the priority retail **street** must be windows or doors; and

(E) Regulation (D) above, does not apply to a **building** which is also a **heritage site**. [ By-law: 1682-2019 Under Appeal ]

(2) Lawfully Existing Buildings

(A) If a **lawfully existing building** contains **lawful** uses on the first **storey** and does not satisfy the requirements of Regulations 600.20.10(1)(A) or (1)(B), those **lawful** uses are deemed to satisfy the requirements of Regulations 600.20.10 1)(A) and (1)(B);

(B) Any addition, extension or change of use on the first **storey** of a **lawfully existing building** must comply with Regulations 600.20.10(1)(A) and (1)(B) or be authorized by a Section 45 Planning Act minor variance;

(C) If a **lawful** main pedestrian entrance of a **lawfully existing building** is not located in accordance with Regulation 600.20.10(1)(C), that **lawful** main pedestrian entrance location is deemed to satisfy the requirements of Regulation 600.20.10(1)(C);

(D) Any addition or extension to a **lawfully existing building**, that abuts a **street** identified as a priority retail **street** on the Priority Retail Streets Overlay Map, and which requires a new main pedestrian entrance must comply with Regulation 600.20.10(1)(C) or be authorized by a Section 45 Planning Act minor variance; and

(E) If a **lawful main wall** of a **lawfully existing building** has a minimum surface area of windows and doors which is less than the minimum surface area required by Regulation 600.20.10(1)(D), that **lawful main wall** is deemed to satisfy the requirements of Regulation 600.20.10(1)(D). [ By-law: 1682-2019 Under Appeal ]

(3) Building Types Exempt from Complying

None of the provisions of Article 600.20.10 Priority Retail Street Overlay District "A" apply to a **building** originally constructed as a **detached house**, **semi-detached house**, **duplex**, **triplex**, **fourplex**, or **townhouse**. [ By-law: 1682-2019 Under Appeal ]

## 600.20.15 Transition: Priority Retail Streets

### 600.20.15.1 Transition: Building Permit Applications

(1) Building Permit Applications

Nothing in Article 600.20.10 will prevent the erection or use of a **building** or **structure** for which an application for a building permit was filed on or prior to June 5, 2019. [ By-law: 1682-2019 Under Appeal ]

(2) Building Permit Applications

For the purposes of regulation 600.20.15.1 (1), an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Article I, Building Permits of Chapter 363, Building Construction and Demolition of the City of Toronto Municipal Code. [ By-law: 1682-2019 Under Appeal ]

### 600.20.15.2 Transition: Zoning By-law Amendment

(1) Zoning By-law Amendment Applications

Nothing in Article 600.20.10 will prevent the erection or use of a **building** or **structure**, for which a complete application for a zoning by-law amendment was filed on or prior to June 5, 2019. [ By-law: 1682-2019 Under Appeal ]

(2) Zoning By-law Amendment Applications

For the purposes of regulation 600.20.15.2(1), a "complete application for a zoning by-law amendment" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2. [ By-law: 1682-2019 Under Appeal ]

### 600.20.15.3 Transition: Minor Variance Applications

(1) Minor Variance Applications

Nothing in in Article 600.20.10 will prevent the erection or use of a **building** or **structure**, for which:

- (A) A complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to June 5, 2019; or
- (B) A complete application for a minor variance under Section 45 of the Planning Act was filed after to June 5, 2019 based on a building permit referred to in regulation 600.20.15.1(1). [ By-law: 1682-2019 Under Appeal ]

(2) Minor Variance Applications

For the purposes of regulation 600.20.15.3(1), a "complete application for a minor variance" means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act. [ By-law: 1682-2019 Under Appeal ]

## 600.30 Inclusionary Zoning

### 600.30.1 Definitions

#### (1) Affordable Rental Housing Unit Definition

For the purposes of Section 600.30, **affordable rental housing unit** means a **dwelling unit** where the **total monthly shelter cost** is at or below the lesser of one times the average City of Toronto rent, by **dwelling unit** type, as reported annually by the Canada Mortgage and Housing Corporation, or 30 percent of the before-tax monthly income of renter households in the City of Toronto as follows:

- (A) studio units: one-person households at or below the 50th percentile income;
- (B) one-bedroom units: one-person households at or below the 60th percentile income;
- (C) two-bedroom units: two-person households at or below the 60th percentile income; and
- (D) three-bedroom units: three-person households at or below the 60th percentile income. [ By-law: 941-2021 ]

#### (2) Affordable Ownership Housing Unit Definition

For the purposes of Section 600.30, **affordable ownership housing unit** means a **dwelling unit** where the purchase price (which for new units is inclusive of Harmonized Sales Tax payable by the purchaser) is at or below an amount where the **total monthly shelter cost** is affordable, based on paying no more than 30 percent of before-tax monthly income, to all households in the City of Toronto as follows:

- (A) studio units: households earning at or below the 30th percentile income;
- (B) one-bedroom units: households earning at or below the 40th percentile income;
- (C) two-bedroom units: households earning at or below the 50th percentile income; and
- (D) three-bedroom units: households earning at or below the 60th percentile income. [ By-law: 941-2021 ]

#### (3) Total Monthly Shelter Cost

For the purposes of Section 600.30, total monthly shelter cost:

- (A) for an **affordable rental housing unit**, means the gross monthly rent inclusive of utilities for heat, hydro, hot water and water; and
- (B) for an **affordable ownership housing unit**, means:
  - (i) the mortgage principal and interest based on a 25-year amortization, 10 per cent down payment and the mortgage rate for a conventional 5-year mortgage as reported by the Bank of Canada in January of the applicable year, and a mortgage insurance premium;
  - (ii) property taxes calculated on a monthly basis based on the purchase price; and
  - (iii) standard condominium fees. [ By-law: 941-2021 ]

#### (4) Affordable Housing Unit Definition

For the purposes of Section 600.30, **affordable housing unit** means a **dwelling unit** which is either an **affordable rental housing unit** or an **affordable ownership housing unit**. [ By-law: 941-2021 ]

#### (5) Purpose-Built Rental Housing Definition

For the purposes of Section 600.30, **purpose-built rental housing** means a **building** or part of a **building**:

- (A) containing **dwelling units** which:
  - (i) are not individually owned;
  - (ii) are available for rent; and
  - (iii) are not in a condominium registered under section 2 of the Condominium Act, 1998 or a predecessor of that section;
- (B) which was originally constructed for rental; and
- (C) which is not organized as a life lease project and the right to occupy the **dwelling units** is based on a life lease interest. [ By-law: 941-2021 ]

#### (6) Ownership Housing

For the purposes of Section 600.30, **ownership housing** means a **building** or part of a **building** containing **dwelling units** which are individually owned as part of freehold ownership, a condominium registered under section 2 of the Condominium Act, 1998 or a predecessor of that section. [ By-law: 941-2021 ]

(7) Non-profit Housing Provider

For the purposes of Section 600.30, a **non-profit housing provider** means:

- (A) a corporation without share capital to which the Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
- (B) a corporation without share capital to which the Canada Business Corporations Act applies, that is in good standing under that Act and whose primary object is to provide housing;
- (C) a non-profit housing co-operative that is in good standing under the Co-operative Corporations Act; or
- (D) an organization that is a registered charity within the meaning of the Income Tax Act (Canada) or a non-profit organization exempt from tax under paragraph 149 (1) (l) of that Act, and whose land is owned by the organization, all or part of which is to be used as affordable housing. [ By-law: 941-2021 ]

(8) Rental Replacement Unit

For the purposes of Section 600.30, **rental replacement unit** means a **dwelling unit** which is required to be replaced pursuant to Section 3.2.1.6 of the City of Toronto Official Plan. [ By-law: 941-2021 ]

### 600.30.10 Inclusionary Zoning Overlay

(1) Affordable Housing Units in Inclusionary Zoning Overlay Area IZ1

On a **lot** which is located entirely within an area identified as Inclusionary Zoning Area IZ1 on the Inclusionary Zoning Overlay Map:

- (A) for a **purpose-built rental housing building** there is no minimum requirement for **affordable rental housing units**;
- (B) for an **ownership housing building**:
  - (i) a minimum of 7 percent of the total **gross floor area** for residential uses must be provided as **affordable rental housing units**; or
  - (ii) a minimum of 10 percent of the total **gross floor area** for residential uses must be provided as **affordable ownership housing units**.
- (C) where a **purpose-built rental housing building** is converted to an **ownership housing building**, the requirements of (B) will apply. [ By-law: 941-2021 ]

(2) Affordable Housing Units in Inclusionary Zoning Overlay Area IZ2

On a **lot** which is located entirely within an area identified as Inclusionary Zoning Area IZ2 on the Inclusionary Zoning Overlay Map:

- (A) for a **purpose-built rental housing building** there is no minimum requirement for **affordable rental housing units**;
- (B) for an **ownership housing building**:
  - (i) a minimum of 6 percent of the total **gross floor area** for residential uses must be provided as **affordable rental housing units**; or
  - (ii) a minimum of 8 percent of the total **gross floor area** for residential uses must be provided as **affordable ownership housing units**; and
- (C) where a **purpose-built rental housing building** is converted to an **ownership housing building**, the requirements of (B) will apply. [ By-law: 941-2021 ]

(3) Affordable Housing Units in Inclusionary Zoning Overlay IZ3

On a **lot** which is located entirely within an area identified as Inclusionary Zoning Area IZ3 on the Inclusionary Zoning Overlay Map:

- (A) for a **purpose-built rental housing building** there is no minimum requirement for **affordable rental housing units**;
- (B) for an **ownership housing building**:
  - (i) a minimum of 5 percent of the total **gross floor area** for residential uses must be provided as **affordable rental housing units**; or
  - (ii) a minimum of 7 percent of the total **gross floor area** for residential uses must be provided as **affordable ownership housing units**; and

(C) where a **purpose-built rental housing building** is converted to an **ownership housing building**, the requirements of (B) will apply. [ By-law: 941-2021 ]

(4) Affordability

On a **lot** which is located entirely within an area identified as Inclusionary Zoning Area IZ1, Area IZ2 or Area IZ3 on the Inclusionary Zoning Overlay Map:

(A) the **affordable rental housing units** and **affordable ownership housing units** required by regulations 600.30.10(1), 600.30.10(2) and 600.30.10(3) must be provided as **affordable rental housing units** or **affordable ownership housing units** for a minimum of 99 years from the date of the first residential occupancy of each **affordable housing unit**. [ By-law: 941-2021 ]

(5) Net Proceeds from Sale of Affordable Housing Unit

On a **lot** which is located entirely within an area identified as Inclusionary Zoning Area IZ1, Area IZ2 or Area IZ3 on the Inclusionary Zoning Overlay Map:

(A) the City will receive no more than 20 percent of the net proceeds of the sale of an **affordable ownership housing unit**, which would be equivalent to no more than 2 percent of the sale price, for the purposes of administration fees during the 99 year period referred to in 600.30.10(4); and

(B) where an **affordable ownership housing unit** is sold at market price the City will receive 50 percent of the net proceeds of the sale. [ By-law: 941-2021 ]

(6) Register Agreement on Title

The requirements of regulations 600.30.10(1), 600.30.10(2), 600.30.10(3), 600.30.10(4), and 600.30.10(5) must be secured by one or more agreements pursuant to Section 35.2(2) of the Planning Act that are in a form and registered on title to the lands to the satisfaction of the City Solicitor. [ By-law: 941-2021 ]

(7) Exemptions

Regulations 600.30.10(1), 600.30.10(2), 600.30.10(3), 600.30.10(4), 600.30.10(5) and 600.30.10(6) do not apply to:

(A) a **development** which:

(i) contains fewer than 100 **dwelling units** and 8,000 square metres of **gross floor area** for residential uses;

(ii) will be owned and operated by a **non-profit housing provider** where the **non-profit housing provider** has 100 percent ownership interest; or

(iii) will be owned and operated by a **non-profit housing provider** in a partnership in which:

(a) the **non-profit housing provider** has an ownership interest that is greater than 51 percent; and

(b) a minimum of 51 percent of the **dwelling units** will be **affordable housing units**; and

(B) a **student residence, retirement home, nursing home or residential care home**, including where the use is on the same **lot** or in the same **building** as **purpose-built rental housing** or **ownership housing**. [ By-law: 941-2021 ]

(8) Lawfully Existing Buildings

Regulations 600.30.10(1), 600.30.10(2), 600.30.10(3), 600.30.10(4), 600.30.10(5) and 600.30.10(6) do not apply to a **lawfully existing building** except where any addition or extension to, or change of use within, a **lawfully existing building** results in:

(A) 100 or more new **dwelling units** or 8,000 square metres or more of **gross floor area** for residential uses. [ By-law: 941-2021 ]

(9) Rental Replacement Units Exclusion from Gross Floor Area

For the purpose of applying regulations 600.30.10(1), 600.30.10(2) and 600.30.10(3):

(A) the total **gross floor area** for residential uses excludes the **gross floor area** of any **rental replacement units**; and

(B) existing **affordable rental housing units** secured as **rental replacement units** are not included in the total **gross floor area** provided as **affordable housing units**. [ By-law: 941-2021 ]

(10) Rental Replacement Units Exclusion from Unit Count

For the purpose of applying regulations 600.30.10(7) and 600.30.10(8), **dwelling units** that are secured as **rental replacement units** are not included in the total number of **dwelling units** or new **dwelling units**. [ By-law: 941-2021 ]

(11) Phasing of Requirements

Beginning January 1, 2025 and until January 1, 2030, the requirements for **affordable rental housing units** will increase by 1.5 percent per year for regulation 600.30.10(1)(B)(i), 1 percent per year for regulation 600.30.10(2)(B)(i) and 0.5 percent per year for regulation 600.30.10(3)(B)(i) and the requirements for **affordable ownership housing units** will increase at a rate of one point four times the requirements for **affordable rental housing units**. Beginning January 1, 2026, the requirements for **affordable rental housing units** will be 5 percent for regulation 600.30.10(1)(A) and 3 percent for regulation 600.30.10(2)(A), as shown on Schedule A attached to Zoning By-law 941-2021. [ By-law: 941-2021 ]

(12) Parking

Despite clause 200.5.10.1, no **parking spaces** are required for **affordable housing units**. [ By-law: 941-2021 ]

(13) Definition of Development

For the purpose of applying Regulation 600.30.10(7), a **development** is the construction, erection or placing of one or more **buildings** or **structures** on lands or the making of an addition, alteration or change of use to a **building** or **structure**. [ By-law: 941-2021 ]

## 600.30.15 Transition

### 600.30.15.1 Transition: Zoning By-law Amendment and Site Plan Applications

(1) Zoning By-law Amendment and Site Plan Applications

Nothing in Section 600.30 will prevent the erection or use of a **building** or **structure**, for which:

- (A) Complete applications for a zoning by-law amendment and site plan approval were filed on or prior to the later of September 18, 2022 or notice of approval of a "Protected Major Transit Station Area" by the Minister pursuant to the Planning Act;
- (B) A zoning by-law amendment came into force prior to the passing of a Community Benefits Charge by-law and an agreement was executed in accordance with Section 37 of the Planning Act on or prior to the later of September 18, 2022 or notice of approval of a "Protected Major Transit Station Area" by the Minister pursuant to the Planning Act; or
- (C) A complete application for site plan approval was filed on or prior to the later of September 18, 2022 or notice of approval of a "Protected Major Transit Station Area" by the Minister pursuant to the Planning Act. [ By-law: 941-2021 ]

(2) Zoning By-law Amendment Applications

For the purposes of regulation 600.30.15.1(1), a "complete application for a zoning by-law amendment" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2. [ By-law: 451-2022 ]

(3) Site Plan Approval Applications

For the purposes of regulation 600.30.15.1(1), a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2. [ By-law: 451-2022 ]

### 600.30.15.2 Transition: Minor Variance Applications

(1) Minor Variance Applications

Nothing in Section 600.30 will prevent the erection or use of a **building** or **structure**, for which:

- (A) A complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to the later of September 18, 2022 or notice of approval of a "Protected Major Transit Station Area" by the Minister pursuant to the Planning Act; or
- (B) A complete application for a minor variance under Section 45 of the Planning Act was filed after September 18, 2022 or notice of approval of a "Protected Major Transit Station Area" by the Minister pursuant to the Planning Act in respect of a building permit referred to in regulation 600.30.15.3(1). [ By-law: 941-2021 ]

(2) Minor Variance Applications

For the purposes of regulation 600.30.15.2(1), a "complete application for a minor variance" means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act. [ By-law: 941-2021 ]

### **600.30.15.3 Transition: Building Permit Applications**

(1) Building Permit Applications

Nothing in Section 600.30 will prevent the erection or use of a **building** or **structure** for which:

- (A) an application for a building permit was filed on or prior to the later of September 18, 2022 or notice of approval of a "Protected Major Transit Station Area" by the Minister pursuant to the Planning Act; or
- (B) an application for a building permit was filed after September 18, 2022 or notice of approval of a "Protected Major Transit Station Area" by the Minister pursuant to the Planning Act, in respect of a zoning by-law amendment or site plan referred to in regulation 600.30.15.1(1) or a minor variance referred to in regulation 600.30.15.2(1). [ By-law: 941-2021 ]

(2) Building Permit Applications

For the purposes of regulation 600.30.15.3(1), an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Section 363-3.3. Building permit application requirements of Chapter 363, Building Construction and Demolition, of the City of Toronto Municipal Code. [ By-law: 941-2021 ]



## 600.50 Community Overlay District Maps

### 600.50.10 Queen Street West Eating Establishment Community Overlay District Map

#### (1) Queen Street West Eating Establishment Community Overlay District Map

Within the area of the heavy lines on the Queen Street West Eating Establishment Community Overlay District Map in By-law No. 1050-2013 is subject to the following:

- (A) an **entertainment place of assembly** is not permitted;
- (B) an **eating establishment, take-out eating establishment, place of assembly** and **club** may only be on a **lot** with a **front lot line** or **side lot line** that abuts Queen Street West;
- (C) an **eating establishment, take-out eating establishment, place of assembly, club** and any use that is **ancillary** to these uses, that is above-ground may only be on the first **storey**;
- (D) despite regulation 40.10.20.100(1)(A), the total **interior floor area** of all **eating establishments, take-out eating establishments, places of assembly, clubs** and uses that are **ancillary** to these uses, on a **lot** may not exceed 200 square metres, excluding rooms used only for food preparation;
- (E) the **interior floor area** of internal passage ways used by patrons and staff which connect **eating establishments, take-out eating establishments, places of assembly, clubs** and uses that are **ancillary** to these uses, must be included in the **interior floor area** for regulation of (D) above;
- (F) the aggregate surface area of all windows and doors of an **eating establishment, take-out eating establishment, place of assembly, club** and any use that is **ancillary** to these uses, in a **main wall** that faces a **rear lot line** or a **street** other than Queen Street West may be no greater than 4.0 square metres;
- (G) despite regulation 150.100.20(1)(A), the following may occupy a maximum of 6% of the total **interior floor area** of an **eating establishment** to a maximum of 12 square metres:
  - (i) teletheatre gambling;
  - (ii) sound room;
  - (iii) areas dedicated to recreational activities, but not an area for a dance floor or disc jockey; and
  - (iv) any other entertainment area, but not an area for a dance floor or disc jockey.
- (H) an **outdoor patio**, may be:
  - (i) between the front main wall of a building and a front lot line that abuts Queen Street West; or
  - (ii) between the front **main wall** and a **side lot line** that does not abut a **street**, if it is no farther than 50% of the **building length** from the **front lot line**.
- (I) in the case of an **eating establishment** or **take-out eating establishment** that includes a beverage **manufacturing use** for beer, cider or wine, the **interior floor area** in (D) above may be reduced by the **interior floor areas** used for beverage **manufacturing use** for beer, cider or wine, and associated offices, storage rooms, and staff rooms. [ By-law: 1050-2013(LPAT); 1198-2019 ]

## Chapter 800 Definitions

### 800.50 Defined Terms

(5) Adult Entertainment

means **premises** used for entertainment including activities, facilities, performances, exhibitions, viewings or encounters designed to appeal to erotic or sexual appetites or inclinations which a principal feature or characteristic is the nudity or partial nudity of any person. A **body rub service** is not an **adult entertainment**.

(10) Agricultural Use

means the use of **premises** for growing and harvesting plants or raising animals, fowl, fish or insects.

(15) Amenity Space

means indoor or outdoor space on a **lot** that is communal and available for use by the occupants of a **building** on the **lot** for recreational or social activities.

(20) Amusement Arcade

means **premises** where more than 2 **amusement devices** are provided for patron use on the **premises**.

(25) Amusement Device

means a machine or electronic device used for games of skill or chance other than:

- (A) billiards,
- (B) bowling, and
- (C) any gaming or lottery device regulated under Province of Ontario legislation.

(30) Ancillary

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

(45) Angular Plane

means an imaginary flat surface projecting over a **lot**, at an inclined angle measured up from the horizontal. [ By-law: 1124-2018 ]

(50) Animal Shelter

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

(55) Apartment Building

means a **building** that has five or more **dwelling units**, with at least one **dwelling unit** entirely or partially above another, and each **dwelling unit** has a separate entrance directly from outside or through a common inside area. A **building** that was originally constructed as a **detached house**, **semi-detached house** or **townhouse** and has one or more **secondary suites** is not an **apartment building**.

(60) Art Gallery

means **premises** used for the exhibition, collection or preservation of works of art for public viewing.

(65) Artist Studio

means **premises** used for creating art or craft.

(70) Automated Banking Machine

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

(75) Average Grade

means the average elevation of the existing or finished ground surface, whichever is lower, around all sides of a **building** or **structure**, measured where the **building** or **structure** meets the ground surface, excluding:

- (A) the part of the ground along any one **main wall** where there is a permitted **vehicle** entrance into the **building** or **structure**; and
- (B) parts of the ground along each **main wall**, up to a cumulative maximum of 25% of the horizontal length of the **main wall**, where there are pedestrian entrances or window wells.

(80) Basement

means the portion of a **building** between the **first floor** and any floor below the level of the **first floor**.

- (85) Bed-Sitting Room  
means a room used as separate living accommodation that:
- (A) has a private entrance from a hallway inside a **building**; and
  - (B) may have sanitary facilities but not food preparation facilities.
- (88) Bicycle Maintenance Facilities  
means an area for bicycle repairs and maintenance which may include work space, a repair stand and an air pump for inflating bicycle tires. [ By-law: 839-2022 ]
- (90) Bicycle Parking Space  
means an area used for parking or storing a bicycle.
- (92) Body Rub Service  
means **premises** used for services involving the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body for the purposes of appealing to erotic or sexual appetites or inclinations. An **adult entertainment, massage therapy, or wellness centre** is not a **body rub service**.
- (95) 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**.
- (100) Building Depth  
means the horizontal distance between the **front yard setback** required on a **lot** and the portion of the **building's rear main wall** furthest from the required **front yard setback**, measured along a line that is perpendicular to the **front yard setback** line.
- (105) Building Length  
means the horizontal distance between the portion of the front **main wall** of a **building** on a **lot** closest to the **front lot line**, and the portion of the rear **main wall** of the **building** closest to the **rear lot line**, measured along the **lot centreline**. If the **main walls** are not intersected by the **lot centreline**, the measurement is from the point on the **lot centreline** where a line drawn perpendicular to the **lot centreline** connects with the **main wall**.
- (110) Building Setback  
means a horizontal distance measured at a right angle from any **lot line** to the nearest part of the **main wall** of a **building** or **structure**.
- (115) Cabaret  
means **premises** used to provide entertainment such as a dinner theatre or comedy club, where patrons are seated at tables and where food or beverages may be offered for sale. An **adult entertainment** use, an **eating establishment**, a **nightclub**, or an **entertainment place of assembly** is not a **cabaret**.
- (120) Cemetery  
means **premises** used for the interment of human remains, which may include one or more of the following:
- (A) **scattering grounds**;
  - (B) **columbarium**; or
  - (C) **mausoleum**.
- (125) Club  
means **premises**:
- (A) operated by members of a **non-profit organization** that maintains formal membership and generally limits attendance at meetings to members; and
  - (B) used for meetings and gatherings for social, cultural, recreational, charitable or community service purposes; and
  - (C) a **community centre** is not a **club**.
- (130) Cogeneration Energy  
means thermal energy and electrical energy simultaneously produced from the same process.
- (135) Columbarium  
means a **building** or **structure** used for the interment of cremated human remains.
- (140) Community Centre

means **premises** operated by or on behalf of a government or **non-profit organization** providing community activities, such as arts, crafts, recreational, social, charitable and educational activities. A **club** is not a **community centre**.

(145) Contractor's Establishment

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

(150) Corner Lot

means a **lot** situated,

(A) at the intersection of two or more **streets** having an interior angle of intersection of 135 degrees or less, or

(B) where one **street** bends to create an interior angle of 135 degrees or less.

(155) Courtyard

means any area on a **lot** that is bounded on two or more sides by one or more **buildings** on the same **lot**.

(160) Crematorium

means a **building** or **structure** used to cremate human remains.

(165) Crisis Care Shelter

means **premises**, other than a **municipal shelter**, in which short-term emergency accommodation and associated support services are provided and supervised.

(170) Custom Workshop

means **premises** used for producing or making custom-made goods in limited quantities, using techniques that do not involve mass-production.

(175) Day Nursery

means **premises** providing temporary care or guidance for more than five children, for a continuous period not exceeding twenty-four hours and is regulated as a home child care agency under the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1. A recreational program operated by or for the City is not a **day nursery**. [ By-law: 1429-2017 ]

(180) Detached House

means a **building** that has one **dwelling unit** occupying the entire **building**.

(190) District Heating and Cooling Plant

means **premises** used to generate, for mass distribution, thermal energy to heat or cool.

(195) Drive Aisle

means a **vehicle** passageway located within an area used for the parking or storage of 3 or more **vehicles**.

(200) Drive Through Facility

means **premises** used to provide or dispense products or services, through an attendant, or a window or an automated machine, to persons remaining in **vehicles** that are in a designated **stacking aisle**. A **vehicle washing establishment** or a **vehicle fuel station** is not a **drive through facility**.

(205) Drive-in Eating Establishment

means **premises** where food or beverages are prepared and offered for sale to patrons for consumption while remaining in their **vehicles**.

(210) Driveway

means a passageway providing **vehicle** access between a **street** or **lane** and an area used for the parking, loading or storage of a **vehicle**.

(215) Duplex

means a **building** that has two **dwelling units**, with one **dwelling unit** entirely or partially above the other. A **detached house** that has a **secondary suite**, is not a **duplex**.

(220) Dwelling Unit

means living accommodation for a person or persons living together as a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the unit.

(225) Eating Establishment

means **premises** where food or beverages are prepared and offered for sale to patrons for immediate consumption on the **premises** while they are seated, and which may include an incidental take-out service.

(230) Education Use

means the use of **premises** for education or training, other than:

- (A) a **post-secondary school**;
- (B) a school regulated under the Education Act, R.S.O. 1990, c.E.2, as amended; or
- (C) a **religious education use**.

(233) Energized Outlet

means a connected point in an electrical wiring installation at which current is taken to supply utilization equipment for electric **vehicle** charging. [ By-law: 89-2022 ]

(235) Entertainment Place of Assembly

means **premises** used to provide entertainment, such as a theatre, cinema, opera, concert hall or ballet. An **adult entertainment** use, an **eating establishment**, a **cabaret**, or a **nightclub** is not an **entertainment place of assembly**.

(240) Established Grade

means the average elevation of the ground measured at the two points where the projection of the required minimum **front yard setback** line is 0.01 metres past each **side lot line**.

(245) Financial Institution

means **premises** used to provide financial services to the public, other than exclusively through an **automated banking machine**.

(250) Firearm

means a device such as a handgun, rifle, shotgun or any other similar device, used or capable of being used to fire a projectile from a cartridge or shot shell.

(255) First Floor

means the floor of the **building**, other than an area used for a **parking space**, that is closest in elevation to the elevation of **established grade**.  
[ By-law: 1676-2013 ]

(260) Former General Zoning By-law

means:

- (A) By-law No. 438-86 (being the Zoning By-law of the former City of Toronto), as amended, By-law 291-68 (being the Forest Hill Zoning By-law), as amended, and By-law 278-73 (being the Swansea Zoning By-law), as amended, and their predecessor zoning by-laws as applicable;
- (B) By-law No. 7625 (being the Zoning By-law of the former City of North York), as amended, and predecessor zoning by-laws as applicable;
- (C) By-law 1-83 (being the Zoning By-law of the former City of York), as amended, and predecessor zoning by-laws as applicable;
- (D) Zoning Code of The City of Etobicoke, Canada, V131 (being the Zoning Code of the former City of Etobicoke), as amended, and predecessor zoning by-laws as applicable;
- (E) Borough Of East York Zoning By-Law No.1916 (Town Of Leaside), as amended, and By-Law No. 6752 (Township Of East York), as amended, (being the Zoning By-laws of the former Borough of East York), and their predecessor zoning by-laws as applicable;
- (F) The Corporation of the City of Scarborough By-Law Number: 10076 (Agincourt); 12797 (Agincourt North); 8786 (Birchcliff); 9350 (Bendale); 9174 (Birchmount Park); 9396 (Cliffcrest); 12077 (Centennial); 8978 (Clairlea); 9364 (Cliffside); 9508 (Dorset Park); 10048 (Eglinton); 9676 (Guildwood); 10827 (Highland Creek); 9089 (Ionview); 9276 (Kennedy Park); 12466 (L'amoreaux); 14402 (Malvern); 12181 (Malvern West); 842-2004 (Midland-St.Clair); 17677 (Milliken); Morningside Heights; 11883 (Morningside); 9366 (Maryvale); 9812 (Oakridge); 15907 (Rouge); 10010 (Scarborough Village); 16762 (Steeles); 10717 (Sullivan); 12360 (Tam O'Shanter); 25278 (Upper Rouge - Hillside); 950-2005 (Warden Woods); 9511 (Wexford); 10327 (West Hill); 9510 (Woburn); Employment Districts Zoning By-Law Number 24982; Industrial District By-Law Number 12790 Centennial Industrial District); The Corporation Of The Township Of Pickering By-Law Number 1978; By-Law Number 3036 (Highway No. 2 Area in Rouge Community) (being the Zoning By-laws of the former City of Scarborough), all as amended, and their predecessor zoning by-laws as applicable.

(265) Fourplex

means a **building** that has four **dwelling units**, with at least one **dwelling unit** entirely or partially above another. A **detached house**, **semi-detached house** or **townhouse** that has one or more **secondary suites** is not a **fourplex**.

(275) Front Lot Line

means the **lot line** or contiguous lines dividing a **lot** from a **street**.

(280) Front Wall

means any portion of the **main wall** of a **building** or **structure** that faces a **front lot line**.

(285) Front Yard

means the area on a **lot**,

(A) between the **front lot line** and all front **main walls** of the **building**, and

(B) extending parallel to the **front lot line** across the full width of the **lot** from the point where the front **main wall** of the **building** meets the **building's** side **main walls** closest to the respective **side lot lines**.

(290) Front Yard Setback

means a horizontal distance on a **lot** measured at a right angle from the **front lot line** to the nearest **main wall** of a **building** or **structure**.

(295) Funeral Home

means **premises** used for the care and preparation of human remains, and may include related coordination and provision of rites and ceremonies so that persons may attend and pay their respects.

(300) Funeral Visitation Centre

means **premises** established for the purpose of temporarily placing human remains and may include related coordination and provision of rites and ceremonies, so that persons may attend and pay their respects. A **funeral visitation centre** is not a **funeral home** and does not include the care and preparation of human remains.

(303) Garden Suite

means a self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupant(s) of the suite and is in an **ancillary building** not abutting a **lane**. A **laneway suite** is not a **garden suite**. [ By-law: 101-2022 ]

(305) Gaming Establishment

means **premises** used for the purpose of wagering on games of chance under Province of Ontario legislation, excluding bingo or other lottery events licensed by the City of Toronto for charitable purposes.

(310) Geo-Energy

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

(315) Green Roof

means an extension to a **building's** roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in compliance with the Toronto Green Roof Construction Standard set out in Chapter 492 of the City of Toronto Municipal Code.

(320) 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.

(325) Group Home

means **premises** used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for up to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement. [ By-law: 0550-2014 ]

(330) Heritage District

means an area identified as being of historical, architectural, archaeological or cultural heritage value or interest, and designated as a Heritage Conservation District pursuant to the Ontario Heritage Act R.S.O. 1990, c.O.18, as amended.

(335) Heritage Site

means **premises** included in the City of Toronto Inventory of Heritage Properties, listed as being of historical, architectural, archaeological or cultural heritage value or interest, or designated as such pursuant to the Ontario Heritage Act R.S.O. 1990, c.O.18, as amended.

(345) Home Occupation

means a business use within a **dwelling unit**, where the **dwelling unit** is the principal residence of the business operator.

(350) Hospice Care Home

means **premises** used to provide palliative care.

(355) Hospital

means **premises** used as a private or public **hospital** under the Province of Ontario Public Hospitals Act, R.S.O. 1990, c. P.40, as amended or Private Hospitals Act, R.S.O. 1990, c. P.24, as amended, for the care or treatment of:

- (A) persons afflicted with or suffering from sickness, disease or injury;
- (B) convalescent or chronically ill persons;
- (C) persons suffering from substance addictions; or
- (D) persons suffering from emotional, psychological or mental disorders.

(360) Hotel

means **premises** used to cater to the needs of the travelling public by providing sleeping accommodation in rooms or suites, and it may include an **eating establishment** that is **ancillary** to the **hotel**.

(365) Industrial Gas Manufacturing

means **premises** used for primary processing of propane, hydrogen, ammonia, chlorine, or other toxic gas.

(370) 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.

(375) Interior Floor Area

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

- (A) the interior side of a **main wall**;
- (B) the centreline of an interior wall; or
- (C) a line delineating the part being measured.

(380) Kennel

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

(390) Laboratory

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

(395) Landscaping

means an area used for trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements. **Driveways** and areas for loading, parking or storing of **vehicles** are not **landscaping**.

(400) Lane

means a public right-of-way that is not for general traffic circulation.

(402) Laneway Suite

means a self-contained living accommodation for a person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite and is in an **ancillary building** abutting a **lane**. A **garden suite** is not a **laneway suite**. [ By-law: 101-2022 ]

(405) Lawful and Lawfully

means:

- (A) authorized or permitted before a zoning or restrictive by-law applied;
- (B) in compliance with the provisions of the applicable **former general zoning by-law**; or
- (C) authorized pursuant to a Section 45 Planning Act minor variance.

(410) Lawfully Existing

Means:

- (A) existing **lawfully** on May 9, 2013;
- (B) for which a building permit was **lawfully** issued before May 9, 2013; or
- (C) for which a building permit was **lawfully** issued within five years of May 9, 2013 pursuant to Article 2.1.3, Transition Clauses. [ By-law: 801-2020 ]

(413) Level 2 Charging

means a Level 2 electric **vehicle** charging level as defined by SAE International's J1772 standard, as amended. [ By-law: 89-2022 ]

(415) Loading Space

means an area used for the loading or unloading of goods or commodities from a **vehicle**.

(420) Lot

means a single parcel or tract of land that may be conveyed in compliance with the provisions of the Planning Act.

(425) Lot Area

means the horizontal area within all the **lot lines** of a **lot**.

(430) Lot Centreline

means a straight line joining the midpoint of the **front lot line** and the midpoint of the **rear lot line**.

(435) Lot Coverage

means the portion of the **lot** that is covered by any part of any **building** or **structure** on or above the surface of the **lot**.

(440) Lot Depth

means the horizontal distance between the **front lot line** and **rear lot line** of a **lot**, measured along the **lot centreline**. [ By-law: 1124-2018 ]

(445) Lot Frontage

means the horizontal distance between the **side lot lines** of a **lot**, or the projection of the **side lot lines**, measured along a straight line drawn perpendicular to the **lot centreline** at the required minimum **front yard setback**.

(450) Lot Line

means any boundary of a **lot**.

(455) 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.

(460) 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.

(463) Marihuana Production Facility

means **premises** used for growing, producing, testing, destroying, storing, or distribution of marihuana or cannabis, or products containing marihuana or cannabis, authorized by a licence issued under Government of Canada legislation. [ By-law: 1124-2018 ]

(465) Market Garden

means **premises** used for growing and harvesting vegetables, fruits, flowers, shrubs, trees or other horticultural products for the purpose of sale.

(467) Massage Therapy

means **premises** providing **massage therapy** by persons who are medical or health professionals licensed or registered under Province of Ontario legislation. A **body rub service** or **wellness centre** is not a **massage therapy**.

(470) Mausoleum

means a **building** or **structure**, other than a **columbarium**, used for the interment of human remains.

(475) Mixed Use Building

means a **building** with a **dwelling unit** and a non-residential use. A **residential building** is not a **mixed use building**.

(480) Municipal Shelter

means **premises** in which short-term emergency accommodation and associated support services are provided and supervised, and is operated by or for the City of Toronto, or an agency of the City of Toronto.

(485) Museum

means **premises** used for the exhibition, collection or preservation of objects of cultural, historical or scientific interest for public viewing.

(490) Nightclub



means **premises** used to provide dance facilities for patrons and where food or beverages may be offered for sale, such as a dance hall or disco. A **cabaret**, an **entertainment place of assembly**, an **eating establishment**, or an **adult entertainment** use is not a **nightclub**.

(495) Non-Profit Organization

means:

(A) a corporation without share capital to which the provisions of Part III of the Corporations Act, R.S.O. 1990, c.C.38, as amended, apply; or

(B) a **non-profit organization**, a charitable organization or a registered charity, as those terms are defined in the Income Tax Act, R.S.C. 1985, Chapter 1 (5th Supp.), as amended.

(500) Non-Residential Building

means a **building** that does not have a **dwelling unit**.

(505) Nursing Home

means **premises** used to provide living accommodation and regular nursing care for persons of any age and which has personal and medical care facilities, common lounges and dining areas.

(510) Obnoxious Use

means the use of **premises** in a manner that is offensive through the creation or transmission of noise, vibration, illumination, emissions, fumes, odour, dust or radiation, or any combination of these, beyond any **lot lines** of the **premises**.

(515) Off-site Parking

means one or more **parking spaces** on one **lot** providing required **parking spaces** for a use on another **lot**.

(520) 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 **parking space**, is not **open storage**. [ By-law: 89-2022 ]

(525) Outdoor Patio

means an outdoor patron area that is **ancillary** to a non-residential use.

(530) Park

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

(535) Parking Garage

means a **building** or portion thereof, with one or more **parking spaces**.

(540) Parking Space

means an area used for the parking or storing of a **vehicle**.

(545) Passenger Terminal

means **premises** used for the boarding or discharge of people being transported.

(550) Performing Arts Studio

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

(555) Personal Service Shop

means **premises** used to provide personal grooming services or for the cleaning or care of apparel.

(560) Pesticide or Fertilizer Manufacturing

means **premises** used for manufacturing agricultural chemicals, including nitrogenous and phosphoric fertilizer materials, mixed fertilizers, and agricultural and household pest control chemicals.

(565) Pet Services

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

(570) Petrochemical Manufacturing

means **premises** used for primary processing of refined petroleum and natural gas into petrochemicals for secondary processing.

(575) Place of Assembly

means **premises** used for social, cultural, educational or trade events, such as a banquet hall, convention or trade centre, or a hall used for bingo or other lottery events licensed by the City of Toronto for charitable purposes.

(580) Place of Worship

means **premises** used by a **religious organization** for religious worship, services, ceremonies or rites, which may also be used for the advancement of its charitable purposes.

(585) Post-Secondary School

means **premises** used for educational purposes by a degree granting college or university under Province of Ontario legislation.

(590) Power Generation Use

means the use of **premises** for the production of energy for mass distribution.

(595) Premises

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

(605) Private Home Daycare

means **premises** used for the temporary care of children and such care is provided in a **dwelling unit**, other than the **dwelling unit** of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours and may have a maximum of:

- (A) six children, if the **Private Home Daycare** (home child care) is under an agreement to a home child care agency as regulated under the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1; and
- (B) five children, if the **Private Home Daycare** (home child care) is not under an agreement to a home child care agency as regulated under the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1 [ By-law: 1429-2017 ]

(610) Private School

means **premises** used for elementary or secondary education regulated under the Education Act, R.S.O. 1990, c. E.2, as amended, but not publicly funded under the Act.

(615) 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**.

(620) Public Parking

means **premises** having an area for the parking of one or more **vehicles** as a principal use and the parking of a **vehicle** is available for public use with or without a fee.  
[ By-law: 1675-2013 ]

(625) Public School

means **premises** used for elementary or secondary education regulated and funded under the Education Act, R.S.O. 1990, c. E.2, as amended.

(630) Public Utility

means **premises** or facilities used for telecommunications, the transmission and distribution of electricity, the distribution of gas, steam or other forms of energy, or the collection, distribution, storage or treatment of water or sewage.

(635) 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**, infrastructure, 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**. [ By-law: 1124-2018 ]

(640) Quarry

means **premises** regulated under Province of Ontario legislation used for any excavation or extraction of consolidated or unconsolidated aggregates, such as clay, marl, sand, gravel, limestone, slate or granite.

(645) Rear Lot Line

means, in the case of:

- (A) a square or rectangular **lot**, the **lot line** opposite the **front lot line**;
- (B) a three-sided **lot**, the point where two **lot lines** meet furthest from the **front lot line**; or

(C) any other type of **lot**, the furthest **lot line** opposite the **front lot line**, including any contiguous line adjoining it at an angle of less than 45 degrees.

(650) Rear Yard

means the area on a **lot**,

(A) between the **rear lot line** and all rear **main walls** of the **building**, and

(B) extending parallel to the **rear lot line** across the full width of the **lot** from the point where the rear **main wall** of the **building** meets the **building's** side **main walls** closest to the respective **side lot lines**.

(655) Rear Yard Setback

means a horizontal distance on a **lot** measured at a right angle from the **rear lot line** to the nearest **main wall** of a **building** or **structure**.

(660) Recovery Facility

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

(665) Recreation Use

means **premises** used for sports, physical play or exercise, such as a fitness club, bowling alley, billiards hall or pool hall, swimming pool or skating rink. An **amusement arcade** and a **sports place of assembly** is not a **recreation use**.

(670) Recyclable Material

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

(675) Religious Education Use

means the use of **premises** by a **religious organization** for religious education, other than:

(A) a **post-secondary school**; or

(B) a school regulated under the Education Act, R.S.O. 1990, c.E.2, as amended.

(680) Religious Organization

means a corporation or an association of persons that is charitable according to the law of Ontario, organized for the advancement of religion through the conduct of religious worship, services, ceremonies or rites, including its charitable purposes.

(685) Religious Residence

means **premises** owned or operated by, or on behalf of, a **religious organization**, consisting of **dwelling units** or rooms, used as accommodation for students or clerics, such as a monastery, nunnery or similar residence.

(690) Renewable Energy

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

(695) Residential Building

includes the following types of **buildings**:

(A) **apartment building**;

(B) **detached house**;

(C) **duplex**;

(D) **fourplex**;

(E) **semi-detached house**;

(F) **townhouse**; or

(G) **triplex**.

(700) Residential Care Home

means supervised living accommodation that may include associated support services, and:

(A) is licensed or funded under Province of Ontario or Government of Canada legislation;

(B) is for persons requiring semi-independent or supervised group living arrangements; and

(C) is for more than ten persons, exclusive of staff.

(D) an **apartment building** used for the purpose of supportive housing or social housing is not a **residential care home**.

(705) Resin, Natural or Synthetic Rubber Manufacturing

means **premises** used for primary processing of synthetic resins, plastics materials and synthetic rubber from basic organic chemicals.

(710) Respite Care Facility

means **premises** used for the provision of short-term non-emergency services for the supervised care of people of any age, in order to provide relief to their caregivers. A **respite care facility** may include the provision of services, such as:

- (A) preventive medicine,
- (B) counselling,
- (C) social, recreational or educational programs, or
- (D) day or overnight care.
- (E) A **day nursery** is not a **respite care facility**. [ By-law: 451-2022 ]

(715) Retail Service

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

(720) Retail Store

means **premises** in which goods or commodities are sold, rented or leased.

(725) Retirement Home

means **premises** used for semi-independent living accommodation for senior citizens primarily in **bed-sitting rooms**, with common dining and lounge areas. A **seniors community house** is not a **retirement home**.

(730) 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.

(735) Secondary Suite

means self-contained living accommodation for an additional person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite, located in and subordinate to a **dwelling unit**.

(740) Self-Storage Warehouse

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

(745) Semi-Detached House

means a **building** that has two **dwelling units**, and no **dwelling unit** is entirely or partially above another.

(750) Seniors Community House

means **premises** operated by a **non-profit organization** providing living accommodation for up to ten senior citizens in **bed-sitting rooms**, if there is:

- (A) a maximum of two persons for each **bed-sitting room**,
- (B) accommodation for one staff person,
- (C) a common lounge and dining area, and
- (D) one or two kitchens shared by all residents.

(755) Service Shop

means **premises** used for servicing, repairing or refurbishing goods, other than **vehicles**. A **personal service shop** is not a **service shop**.

(760) 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**.

(763) Short-term Rental

means all or part of a **dwelling unit**, that:

- (A) is used to provide sleeping accommodations for any rental period that is less than 28 consecutive days; and
- (B) is the principal residence of the short-term rental operator. [ By-law: 1453-2017 ] [ By-law: 1453-2017; 1092-2021 ]

(765) Side Lot Line

means any **lot line** other than a **front lot line** or a **rear lot line**.

- (770) Side Yard  
means the area on a **lot** that extends between the **front yard** and the **rear yard** of the **lot**, between the **side lot lines** and the **building's** side **main walls** respectively facing the **side lot lines**.
- (775) Side Yard Setback  
means a horizontal distance on a **lot** measured at a right angle from the **side lot lines** to the nearest **main wall** of a **building** or **structure**.
- (780) Soft Landscaping  
means **landscaping** excluding hard-surfaced areas such as decorative stonework, retaining walls, walkways, or other hard-surfaced landscape-architectural elements.
- (785) Software Development and Processing  
means **premises** used for software development and testing, or for the collection, analysis, processing, storage or distribution of electronic data.
- (790) Solar Energy  
means energy from the sun that is converted to produce electrical or thermal energy.
- (795) Sports Place of Assembly  
means **premises** used for spectator sporting events, such as a stadium or arena.
- (800) Stable  
means **premises** used for keeping, boarding, training or breeding horses, mules or other equine animals.
- (805) Stacked Bicycle Parking Space  
means a horizontal **bicycle parking space** that is positioned above or below another **bicycle parking space** and equipped with a mechanical device providing floor level access to both **bicycle parking spaces**.
- (810) Stacked Parking Space  
means a **parking space** that is positioned above or below another **parking space** and is accessed only by means of an elevating device.
- (815) Stacking Aisle  
means an onsite queuing area for motor **vehicles** that is separated from other **vehicle** traffic and pedestrian circulation by barriers, markings or signs.
- (815) Stacking Aisle  
means an on site queuing area for motor **vehicles** that is separated from other **vehicle** traffic and pedestrian circulation by barriers, markings or signs.  
[ By-law: 607-2015 Under Appeal ]
- (820) Storey  
means a level of a **building**, other than a **basement**, located between any floor and the floor, ceiling or roof immediately above it.
- (825) Street  
means a public right-of-way for general traffic circulation.
- (830) Street Yard  
means any **front yard**, **rear yard** or **side yard** abutting a **street**.
- (835) Structure  
means anything that is erected, built or constructed of one or more parts joined together. A **vehicle** is not a **structure**.
- (840) Student Residence  
means **premises** owned and operated by a **public school**, **private school**, **post-secondary school** or educational facility, consisting of **dwelling units**, **bed-sitting rooms** or rooms, used for student accommodation.
- (845) Take-out Eating Establishment  
means **premises** where food or beverages are prepared and offered for sale to patrons for consumption off the **premises**.
- (850) Tandem Parking Space  
means a **parking space** that is only accessed by passing through another **parking space** from a **street**, **lane**, **drive aisle** or **driveway**.

(855) Through Lot

means a **lot**, other than a **corner lot**, that abuts:

- (A) more than one **street**; or
- (B) one **street** in more than one location.

(860) Tourist Home

means a use that:

- (A) is in a **dwelling unit** which is the principal residence of the **tourist home** operator;
- (B) caters to the needs of the travelling public by the furnishing of sleeping accommodation; and
- (C) may include the provision of meals.

(865) Townhouse

means a **building** that has three or more **dwelling units**, and no **dwelling unit** is entirely or partially above another. A **detached house** or **semi-detached house** that has one or more **secondary suites** is not a **townhouse**.

(870) 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.

(875) Triplex

means a **building** that has three **dwelling units**, with at least one **dwelling unit** entirely or partially above another. A **detached house** or **semi-detached house** that has one or more **secondary suites** is not a **triplex**.

(880) 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.

(885) Vehicle Dealership

means **premises** used for the sale, rental or lease of **vehicles** displayed or stored on site, excluding construction or agricultural **vehicles**.

(890) 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**.

(895) Vehicle Fuel Station

means **premises** where **vehicle** fuels are sold to the public.

(900) Vehicle Repair Shop

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

(910) 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:

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

(915) Vehicle Washing Establishment

means **premises** used for washing or cleaning **vehicles**.

(920) Veterinary Hospital

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

(925) 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.

(930) Waste Incinerator

means **premises** where waste material is reduced or destroyed by combustion through the application of heat.

(935) Waste Transfer Station

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

(937) Wellness Centre

means **premises** providing services for therapeutic and wellness purposes. A **massage therapy**, medical office or **body rub service** is not a **wellness centre**.

[ By-law: 0559-2014 (OMB PL130592) ]

(940) Wholesaling Use

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

(945) Wind Energy

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

(955) Zoo

means **premises** used for the care and exhibiting of animals and other living things for public viewing, and which may include breeding or research.