

ZONING BY-LAW

Chapter 320

ZONING BY-LAW

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[**HISTORY: Adopted by the Municipal Council of the Corporation of the Township of Etobicoke 1959-04-20 as By-Law No. 11,737.¹ Amendments noted where applicable.²**]

MUNICIPAL CODE REFERENCES

Committee of Adjustment — See Ch. 22.
Keeping of animals — See Ch. 95.
Building construction — See Ch. 104.
Conveyance of land for park purposes — See Ch. 117, Art. I.
Flood hazard areas — See Ch. 143.
Lodging-houses — See Ch. 166.
Noise — See Ch. 174.
Noxious manufactories — See Ch. 177, Art. II.
Numbering of buildings and lots — See Ch. 179.
Property maintenance — See Ch. 198.
Service stations — See Ch. 210.
Signs — See Ch. 215.
Site control agreements — See Ch. 217, Art. I.
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Storage of used vehicles — See Ch. 250.

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Penalties for offences — See Ch. 300.
Township of Etobicoke Zoning Maps — See Ch. 323.
Township of Etobicoke site specifics — See Ch. 324.
Site plan control — See Ch. 326.

¹ Editor's Note: This by-law is a reenactment of earlier Township of Etobicoke Zoning By-Law Nos. 7678 and 9454. There were no general repeal provisions in any of these by-laws and existing provisions have been continued. By-Law No. 9454 provided as follows:

"Save as herein provided, By-Law Nos. 4018, 6083, 6103, 6159, 6160, 6177, 6234, 6391, 6392, 6437, 6438, 6439, 6440, 6441, 6470, 6477, 6574, 6639, 7073, 7673, and all by-laws amending the same, shall be deemed to be amended insofar as is necessary to give effect to the provisions of this by-law, provided that the following by-laws dealing with specific cases shall not be affected hereby:

"7871, 7911, 7912, 7979, 7980, 8006, 8017, 8067, 8120, 8134, 8171, 8399, 8409, 8498, 8572, 8588, 8686, 8688, 8777, 8798, 8847, 8871, 8874, 8884, 8889, 8926, 8929, 8949, 9005, 9006, 9010, 9094, 9296, 9302, 9303, 9329, 9333, 9347, 9363, 9389, 9390, 9435."

² Editor's Note: Amendments made by By-Law Nos. 1979-198 and 1980-128 are included in the text of this chapter; however, historical data for these by-laws is not given. By-Law No. 1979-198, adopted 1979-07-23, as amended by By-Law No. 1980-128, adopted 1989-04-28, provided for the conversion of the imperial measurements in this chapter into metric equivalents. Such amendments are too numerous to cite individually.

ARTICLE I
Interpretation

§ 320-1. Interpretation of provisions.

In interpreting and applying the provisions of this chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare.

§ 320-2. Scope.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained within the territorial limits of the Township of Etobicoke as now or hereafter legally constituted, except in conformity with the provisions of this chapter.

§ 320-3. (Repealed)³

³ Editor's Note: Former § 320-3, Definitions, as amended, was repealed 1996-12-09 by By-Law No. 1996-210. See now § 304-3.

ARTICLE II
Zoning Districts

§ 320-4. Districts established. [Amended 1964-07-06 by By-Law No. 14,507; 1968-10-07 by By-Law No. 932; 1970-10-13 by By-Law No. 1799; 1979-04-02 by By-Law No. 1979-68; 1981-04-21 by By-Law No. 1981-129; 1981-06-01 by By-Law No. 1981-188⁴; 1996-12-09 by By-Law No. 1996-209]

In order to carry out the purposes and provisions of this chapter, the Township of Etobicoke is hereby divided into zones, known as:

Zones	Short Titles
Rural	
Agricultural	A
Private Open Space	POS
Public Open Space	OS
Waterfront	W
Institutional	I
Urban	
First Density Residential	R1
Second Density Residential	R2
Third Density Residential	R3
Fourth Density Residential	R4
Fourth Density Residential – Group Area	R4G
Fifth Density Residential	R5
Sixth Density Residential	R6
Neighbourhood Commercial	CN
Limited Commercial	CL
General Commercial	CG
Planned Commercial Local	CP Local

⁴ Editor's Note: The Waterfront Zone was originally added 1967-02-20 by By-Law No. 133. By-Law No. 133 was repealed 1974-07-22 by By-Law No. 3207, which also added the Waterfront Zone and which was repealed 1981-06-01 by By-Law No. 1981-190 "insofar as it applies to the area of the Borough of Etobicoke located west of the Mimico Creek to the westerly boundary of the borough."

Zones	Short Titles
Planned Commercial Regional	CP Regional
Planned Commercial Preferred	CPP
Utilities	U

§ 320-5. Zoning Map. [Amended 1969-06-16 by By-Law No. 1257]

The zones aforesaid and the boundaries of such zones are shown upon the maps attached hereto, which maps, designated as the Zoning Map, together with all the notations and references contained thereon, shall be as much a part of this chapter as if the information set forth by said maps were fully described herein.⁵

§ 320-6. Determination of zone boundaries.

Where uncertainty exists with respect to the boundaries of the various zones, as shown on the Zoning Map, the following rules shall apply:

- A. Streets or lanes. The zone boundaries are either streets or lanes, unless otherwise shown, and where the indicated boundaries on the Zoning Map are approximately streets or lanes, said streets or lanes shall be construed to be the zone boundaries, with the exception of Neighbourhood Commercial and Limited Commercial Zones. **[Amended 1969-06-16 by By-Law No. 1257]**
- B. Lot lines. **[Added 1969-06-16 by By-Law No. 1257]**
 - (1) Where the zone boundaries are not shown to be streets or lanes and where the property has been or may hereafter be divided into blocks and lots, the

⁵ Editor's Note: See Ch. 323, Zoning Maps. Original Section 6.1.1(a), which immediately followed this section and which listed a number of requirements for certain premises, is summarized in Ch. 324, Site Specifics.

zone boundaries shall be construed to be lot lines, and where the indicated boundaries on the Zoning Map are approximately lot lines, said lot lines shall be construed to be the zone boundaries unless said boundaries are otherwise indicated on the map.

- (2) All Neighbourhood Commercial and Limited Commercial Zones shown on said map are hereby defined as having a depth of the lesser of:
 - (a) Forty-six metres measured at right angles from the line of the principal street abutting such zone; or
 - (b) The actual and existing rear lot line of any lot fronting on the principal street abutting such zone, except that where such a zone is wholly bounded by streets or lanes, and for the purpose of defining such zoning boundaries in Neighbourhood Commercial and Limited Commercial Zones, all corner lots shall be deemed to front solely on the principal street abutting such zone.
- C. Symbol of zone. Where one symbol is used on the Zoning Map to indicate the zone classification of an area divided by a lane or lanes, said symbol shall establish the classification of the whole of such area.
- D. Street or right of way allocation or division. A street, lane, railroad or railway right of way or watercourse included on the Zoning Map shall, unless otherwise indicated, be included within the zone of adjoining property on either side thereof; and where such street, lane, right of way or watercourse serves as a boundary between two or more different zones, a line midway in such street, lane, right of way or watercourse and extending in the general direction of the long dimension thereof shall be considered the boundary between zones.
[Amended 1981-04-21 by By-Law No. 1981-129]

E. Closed street or lane. In the event that a dedicated street or lane shown on the Zoning Map is closed, the property formerly in said street or lane shall be included within the zone of the adjoining property on either side of said closed street or lane. In the event that said street or lane was a zone boundary between two or more different zones, the new zone boundary shall be the former centre line of said closed street or lane.

§ 320-6.1. Regulation of industrial uses. [Added 1996-12-09 by By-Law No. 1996-209]

The provisions regulating the use of lands zoned for industrial purposes as shown upon the zoning maps are set forth under Chapter 304 of the Zoning Code.

§ 320-6.2. Regulation of definitions. [Added 1996-12-09 by By-Law No. 1996-210]

Definitions of various terms used throughout the Zoning Code are set forth under Chapter 304.

ARTICLE III
Administration and Enforcement

§ 320-7. Relationship to other by-laws. [Amended 1970-10-13 by By-Law No. 1799]

Nothing in this chapter shall operate to relieve any person from the obligation to comply with the requirements of the Building By-Law⁶ or any other by-law of the Borough of Etobicoke in force from time to time, or the obligation to obtain any licence, permit, authority or approval required under any other by-law of the Borough of Etobicoke.

⁶ Editor's Note: See Municipal Code Ch. 104, Building Construction.

§ 320-8. Buildings under construction.

Nothing in this chapter shall require any change in the building construction or use of any proposed building or structure for which the Inspector of Buildings has issued a building permit prior to the passing of this chapter, provided that the erection of said building or structure is completed within two years from the date of such permit.⁷

§ 320-9. Exceptions.

- A. Use. The provisions of this chapter shall not be so construed as to limit or interfere with the construction, installation, operation and maintenance of water and gas pipes, mains and conduits, sewers and sewer mains, electric light and electrical transmission and distribution lines, telephone and telegraph lines, oil pipelines and incidental appurtenances.
- B. Height. The height regulations provided in this chapter shall not apply to church spires, church belfries, chimneys, water tanks, flags or radio and television tower and antennae.
- C. **[Added 1965-08-03 by By-Law No. 14,980]** Underground fuel oil distribution system. The provisions of this chapter shall not be so construed as to limit or interfere with the construction, installation, operation and maintenance of underground fuel oil distribution systems, including the central pumping and storage facilities therefor, provided that the following regulations are complied with:
 - (1) In a residential zone, central pumping and storage facilities for underground fuel oil distribution shall be located on a separate parcel of land which shall not be used for any other purpose permitted by the Zoning By-Law.

⁷ Editor's Note: Original Section 6.4, Ultimate Erection, which immediately followed this section, was repealed 1979-04-02 by By-Law No. 1979-68.

- (2) In a residential zone, central pumping and storage facilities for underground fuel oil distribution shall be located not closer to the street line than a line drawn at the rear limit of the required front yard that would be required for a building in that location, nor less than three metres from any side or rear property line.

§ 320-10. Building permits.

- A. No excavation for any building shall be started until a building permit has been issued by the Inspector of Buildings.
- B. Every person proposing to erect or structurally alter any building or structure shall, when applying for a building permit, file with the Inspector of Buildings a signed statement as to the use or purpose for which such building or structural alteration is intended and that the lot to be built upon is owned by the person so applying and evidence of such ownership, together with duplicate copies of the plans of such building and lot drawn to a scale of not less than 1:100, showing the actual dimensions, including radii and angles of the lot to be built upon, all buildings existing upon the said lot with the heights and dimensions of same, the heights and dimensions of the proposed building,

(Cont'd on page 32035)



the disposition of the buildings upon contiguous lots and such other information as may be necessary to provide for the enforcement of this chapter; and if such building is designed in a manner or intended for a use not permitted within the zone concerned, no building permit shall be issued.¹⁵

§ 320-11. Statement of measurement. [Added 1980-04-28 by By-Law No. 1980-129]

- A. For the purpose of this chapter, all dimensions shall be expressed in metric terms.
- B. Conversion of imperial measurements for the administration of this chapter shall be expressed to the nearest two (2) places of decimals.

§ 320-12. Zoning Administrator.

The Zoning Administrator shall be appointed by the Township Council, and his duties shall be to administer the provisions of this chapter.¹⁶

**ARTICLE IV
Nonconforming Buildings and Uses**

§ 320-13. Nonconforming buildings.

- A. Existing nonconforming buildings. Subject to Subsection B of this section and § 320-15A, a building which, at the date of enactment of this chapter, is used for a purpose not permissible within the zone in which it is located shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building is thereafter to be used for a

¹⁵ Editor's Note: Original Section 6.8, Certificates of Use and Compliance, which immediately followed this section, was repealed 1979-04-02 by By-Law No. 1979-68.

¹⁶ Editor's Note: Original Section 6.10, Violations and Penalties, which immediately followed this section and was amended 1977-03-14 by By-Law No. 4053, was superseded at time of adoption of Code. Current penalties for offences may be found in Ch. 300 of this Zoning Code.

purpose permitted within such zone; provided, however, that the interior of any building lawfully used on the date of enactment of this chapter for a use that is not permitted within the zone that such building is located in may be reconstructed or structurally altered, in order to render the same more convenient or commodious for the same purpose for which, at the date of enactment of this chapter, such building is used.

- B. Partial destruction of existing nonconforming buildings. A building which is damaged to the extent of fifty per cent (50%) or more of its value (exclusive of walls below grade) as at the date of the damage and as determined by fair building standards and which does not comply with the use, area or height regulations of this chapter shall not be restored except in conformity with the regulations for the use zone in which such building is located.
- C. Reconstruction of damaged nonconforming buildings. Nothing in this chapter shall apply to prevent the reconstruction or continued use of any lawful nonconforming building or structure which is damaged by causes beyond the control of the owner subsequent to the date of enactment hereof, provided that the residual value of such building or structure exceeds fifty per cent (50%) of the value thereof immediately prior to the damage.

§ 320-14. Nonconforming use of buildings.

- A. Continuation of use. The lawful nonconforming use of an existing building or structure may be continued, provided that no structural alterations are made therein, other than those which may be required by existing law or by-law or which may render the same more convenient or commodious for the purpose for which, at the date of enactment of this chapter, such building is lawfully used, and provided also that no new building or extension to such building is erected.
- B. Change of use. A nonconforming use of a building or structure shall not be changed except to a conforming use or to a use that is similar to the purpose for which it was used or is more

compatible with the uses permitted by this chapter than the purpose for which it was used at the date hereof, provided that such building or structure continues to be used in the same manner and for the same purpose thereafter.

- C. Discontinued use. Any nonconforming use of a building or structure which is discontinued or unused shall not be resumed, nor shall such nonconforming use be changed to any other nonconforming use, except as provided in § 320-15, provided that, where the nonconforming use is of a dwelling for dwelling purposes, such use may be resumed even if such use is discontinued or the dwelling becomes vacant and provided that this subsection shall not be deemed to prohibit the use of 17 Cordova Avenue, presently owned by the Wonder Window Manufacturing Company, for a similar type of nonconforming use as that formerly actively carried on by that company and permitting the Committee of Adjustment to exercise its powers under the Planning Act in respect thereto.

§ 320-15. Nonconforming use of land. [Amended 1979-10-29 by By-Law No. 1979-274]

- A. Continuation of use. The lawful nonconforming use of land existing at the date of enactment of this chapter may be continued so long as it is used for such lawful nonconforming purpose, and notwithstanding § 320-14, buildings which at the passing of this chapter were lawfully used for the operation of a farm, market garden or greenhouse and/or nursery on land which is zoned as residential, industrial or commercial may be used, enlarged, rebuilt or suitable new buildings erected so long as they are used for the operation of a farm, market garden or greenhouse and/or nursery. Such buildings, however, shall conform to the requirements of Article VI, A Agricultural Zone.
- B. The lawful nonconforming use of land shall not in any way be expanded or extended to any property adjoining that actually used for a lawful nonconforming purpose at the date of enactment of this chapter.

- C. Discontinuance and change of use. If the nonconforming use of land, or portion thereof, is discontinued or changed, any future use of such land shall be in conformity with the provisions of this chapter.

§ 320-15.1. Lawful nonconforming location of buildings. [Added 1982-12-13 by By-Law No. 1982-254]

A. Lawful nonconforming buildings.

- (1) Any building which is so located as to violate any yard or set-back requirements of this chapter and which was lawfully erected prior to the effective yard or set-back requirements being enacted shall be considered to be lawful nonconforming, provided that the building is being used for a purpose permitted in the zone in which it is located; and
- (2) Any such building may be added to or enlarged, provided that the addition meets the yard requirements of the by-law and the expanded building meets the coverage, parking, height and density requirements of the by-law at the time of the enlargement or addition.

- B. Land taken for public road widening. Any building which has its set-backs reduced by a public road widening so as to be in violation of such requirements shall be deemed to be lawful nonconforming as regulated by Subsection A.

§ 320-15.2. Lawful nonconforming lots. [Added 1982-12-13 by By-Law No. 1982-254]

- A. Buildings on lawful nonconforming lots. Any lot, as defined under § 320-3B, excepting a vacant lot, which does not meet current by-law standards for frontage and lot area shall be considered to be conforming, provided that any existing building located on such lots may be added to or enlarged, provided that the building is used for a purpose permitted in the zone which it is located and the addition meets the current yard requirements of the by-law and the expanded building meets the coverage, parking, height and density require-

ments of the by-law in force at the time of the enlargement or addition.

- B. Notwithstanding § 320-15.2A, any residential single-family lot, vacant or otherwise, as defined under § 320-3B, or which existed as of November 10, 1949, which does not meet current by-law standards for frontage and lot area shall be considered to be conforming. Any development or redevelopment of such lots may proceed provided that the building is used for a purpose permitted in the zone in which it is located and meets the setback, parking, coverage, height and density requirements of the by-law in force at the time of construction. **[Added 1996-03-08 by By-Law No. 1996-32]**

§ 320-15.3. Lawful nonconforming parking for change of use. [Added 1985-02-11 by By-Law No. 1985-28]

In any commercial or industrial zone, where the existing use of a building does not provide the required parking on the site for such use, the use may be changed to another use permitted in the zone, provided that the proposed use does not require a larger parking ratio than the existing use.

ARTICLE V
General Provisions

§ 320-16. External design.

No more than 20% of the houses erected on the frontage of any one residential block shall be similar in front elevation, and no two houses adjacent to each other shall be identical.

§ 320-17. Signs. [Amended 1960-02-15 by By-Law No. 12,128; 1961-05-29 by By-Law No. 12,742; 1963-05-21 by By-Law No. 13,913; 1964-09-08 by By-Law No. 14,550; 1965-06-07 by By-Law No. 14,897; 1977-03-14 by By-Law No. 4053; 1979-05-28 by By-Law No. 1979-129]

Signs shall be permitted in all zones as regulated by the Borough of Etobicoke Sign By-Law.¹

§ 320-18. Automobile parking spaces.

A. There shall be provided, for any building in any zone, an area for automobile parking located on the same lot with said building. This area shall contain individual automobile parking spaces and adequate provisions for access to a street or public lane from each individual parking space unimpeded by any other parking space shall be provided. The minimum parking space dimensions shall be as follows: **[Amended 1961-12-04 by By-Law No. 13,065; 1970-10-13 by By-Law No. 1799; 1980-04-28 by By-Law No. 1980-129; 1985-02-11 by By-Law No. 1985-28; 1986-12-15 by By-Law No. 1986-269; 2006-09-27 by By-Law No. 973-2006²; 2007-05-25 by By-Law No. 497-2007]**

(1) The minimum dimensions of a parking space, accessed by a one-way or two-way drive aisle having a width of 6.0 metres or more measured at the entrance to the parking space, shall be:

- (a) Length: 5.6 metres;
- (b) Height: 2.0 metres;
- (c) Width: 2.6 metres;

¹ Editor's Note: See Municipal Code Ch. 215, Signs.

² Editor's Note: This by-law was approved as passed by the Ontario Municipal Board 2007-06-29 by Order No. 1820, with exceptions for certain properties. A copy of Order No. 1820 of the Ontario Municipal Board is on file with By-Law No. 973-2006 in the City offices.

except that the minimum required width of a parking space shall be increased by 0.3 metre for each side of the parking space that is obstructed in accordance with Subsection A(3) below.

- (2) The minimum dimensions of a parking space, accessed by a one-way or two-way drive aisle having a width of less than 6.0 metres measured at the entrance to the parking space, shall be:
- (a) Length: 5.6 metres;
 - (b) Height: 2.0 metres;
 - (c) Width: 3.0 metres;

except that the minimum required width of a parking space shall be increased by 0.3 metre when one or both sides of the parking space are obstructed in accordance with Subsection A(3) below.

- (3) For the purposes of this by-law, the side of a parking space is obstructed when any part of a fixed object such as, but not limited to, a wall, column, bollard, fence or pipe is situated:
- (a) Within 0.3 metre of the side of the parking space, measured at right angles; and
 - (b) More than 1.0 metre from the front or rear of the parking space.
- (4) A minimum access driveway width of 6.0 metres shall be provided in front of all parking spaces, with the exception of parking spaces in tandem which shall provide a minimum three-metre access driveway to the side of each space. Despite Subsection A(1) and (2) above, parking spaces in tandem shall be a minimum of 6.7 metres in length by a minimum of 2.6 metres in perpendicular width throughout by a minimum clear height of 2.0 metres, except that the minimum required width of a parking space shall be increased by 0.3 metre

when one side of the parking space is obstructed in accordance with Subsection A(3) above.

- (5) Every parking space shall have a minimum unobstructed vertical clearance of 2.0 metres for the entire length and width of the parking space.
- (6) Despite § 320-18A(1) to (5) above:
 - (a) Where a site-specific amendment to the Etobicoke Zoning Code, as amended, has been passed by Council between January 1, 2003 and April 30, 2007, or is the result of an Order of the Ontario Municipal Board respecting an appeal filed between January 1, 2003 and April 30, 2007, which specifies parking space dimensions, the minimum parking space dimensions shall be in accordance with the amending by-law that has come into force; or
 - (b) Where a site-specific amendment to the Etobicoke Zoning Code, as amended, has been passed by Council between January 1, 2003 and April 30, 2007, or is the result of an Order of the Ontario Municipal Board respecting an appeal filed between January 1, 2003 and April 30, 2007, which does not specify parking space dimensions, the minimum parking space dimensions shall be: 2.7 metres in width and 6.0 metres in length, except for parking spaces in tandem which shall be a minimum of 2.7 metres in width and 6.7 metres in length.

(Cont'd on page 32041)

B. **[Amended 1960-01-18 by By-Law No. 12,100; 1960-11-07 by By-Law No. 12,483; 1961-12-04 by By-Law No. 13065]** Residential. Automobile parking space shall be provided in accordance with the following regulations:

- (1) One-family, semi-detached, duplex and triplex dwellings. At least one parking space shall be provided for each dwelling unit. The said parking shall be provided either by an attached garage, carport, detached garage or rear yard parking space, provided that such rear yard space for a triplex dwelling is accessible by means of a minimum two-and-four-tenths-metre-wide driveway. **[Amended 1970-03-31 by By-Law No. 1573; 1970-10-13 by By-Law No. 1799; 1975-11-10 by By-Law No. 3703; 1977-09-26 by By-Law No. 4227; 2006-09-27 by By-Law No. 973-2006³]**
- (2) **[Amended 1984-06-29 by By-Law No. 1984-140]** Apartment houses and maisonettes shall provide automobile parking spaces in accordance with the following regulations:
 - (a) Apartment houses:
 - [1] One bedroom or less: 1.25 spaces per dwelling unit.
 - [2] Two bedrooms: 1.40 spaces per dwelling unit.
 - [3] Three bedrooms: 1.55 spaces per dwelling unit.
 - [4] Of this number, not less than 0.20 spaces per dwelling unit shall be reserved for surface visitor parking and not less than

³ Editor's Note: This by-law was approved as passed by the Ontario Municipal Board 2007-06-29 by Order No. 1820, with exceptions for certain properties. A copy of Order No. 1820 of the Ontario Municipal Board is on file with By-Law No. 973-2006 in the City offices.

0.50 spaces per dwelling unit shall be located within buildings or underground structures.

- [5] Notwithstanding the foregoing provisions, parking for a senior citizen apartment building shall be provided at a ratio of 0.25 spaces per dwelling unit, with an additional 0.10 spaces per dwelling unit designated for the exclusive use of visitors. **[Added 1996-03-08 by By-Law No. 1996-41]**
- (b) Maisonettes. At least 1.60 automobile parking spaces per dwelling unit shall be provided, of which not less than 0.20 spaces per dwelling unit shall be reserved for surface visitor parking and not less than 0.50 spaces per dwelling unit shall be located within buildings or underground structures.
- (c) Notwithstanding the provisions of Subsection B(2)(a) and (b), a parking area provided in the rear yard shall be in excess of a landscaped area in the rear yard equal to 7.5 metres times the average width of the lot.
- (d) Subject to Subsection B(2)(a), (b) and (c), in the case of an apartment house or maisonette, all surface parking areas shall be located no closer to any street line than the nearest main wall of the main building to the said street line(s).
- (e) All outdoor parking areas and driveways shall be curbed with permanent continuous fifteen-hundredths-metre curbing and paved with hot mix asphalt or concrete.
- (3) Lodging-house. Minimum off-street parking shall be provided on the basis of one space for the proprietor (and his family) and one space for every two lodgers or fraction thereof, except in the case of retirement

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homes or rest-homes where minimum off-street parking shall be one space for the proprietor and one space for every five lodgers or fraction thereof. Subject to § 320-44A, parking in tandem on the driveway shall be

(Cont'd on page 32043)

permitted, and the regulations of § 320-18A regarding the provision of a minimum three-metre access driveway to the side of each space shall be waived. **[Added 1970-10-13 by By-Law No. 1799; amended 1981-10-05 by By-Law No. 1981-297]**

- (4) Governmental and institutional buildings. Parking provided in accordance with Subsections D and E of this section shall not be located closer than four and five tenths (4.5) metres from a street line and not closer than three (3) metres from an abutting residential property line. **[Added 1970-10-13 by By-Law No. 1799]**
- C. Commercial. **[Amended 1960-01-18 by By-Law No. 12,100; 1961-12-04 by By-Law No. 13,065; 1964-04-06 by By-Law No. 14,373; 1964-04-06 by By-Law No. 14,392; 1966-11-07 by By-Law No. 15,696; 1970-10-13 by By-Law No. 1799; 1971-10-12 by By-Law No. 2136]**
- (1) Business uses shall be subject to § 320-19, Handicapped automobile parking spaces. **[Added 1981-09-08 by By-Law No. 1981-261]**
 - (2) In the event of a conflict or difference between any subsections hereof, then the provisions which are most restrictive shall apply.
 - (a) In a Neighbourhood Commercial, Limited Commercial, General Commercial or Planned Commercial Preferred Zone, a parking area shall be provided for not less than three (3) automobile parking spaces per ninety-three (93) square metres of the total commercial floor space of the building. **[Amended 1973-01-08 by By-Law No. 2614]**
 - (b) In a Planned Commercial Local and Planned Commercial Regional Zone, a parking area shall be provided for not less than five and five-tenths (5.5) automobile parking spaces per

ninety-three (93) square metres of the total commercial floor space of the building.

- (c) In a Planned Commercial Local, Planned Commercial Regional and Planned Commercial Preferred Zone, all outdoor surface parking area shall be paved with hot-mix asphalt or concrete, and the boundaries of such area shall be curbed with continuous fifteen-hundredths-metre curbing.
 - (d) Subject to §§ 320-100E and 320-103E, in a Planned Commercial Local and Planned Commercial Regional Zone, no parking area shall be located closer than one and five-tenths (1.5) metres to any street, side or rear lot line.
 - (e) In a Planned Commercial Preferred Zone, no parking area shall be located closer to any street line or side lot line than the minimum front yard and side yard required in accordance with § 320-106B.
 - (f) Subject to § 320-106B(4), in a Planned Commercial Preferred Zone, no parking area shall be located within seven and five-tenths (7.5) metres of any rear lot line abutting a residential zone.
- (3) Notwithstanding the provisions of Subsection C(2)(a) and (b) of this section, for the uses listed herein, the following parking requirements shall apply:
- (a) Animal hospital: three (3) automobile parking spaces per ninety-three (93) square metres of commercial floor area.
 - (b) Stadia: one (1) automobile parking space per five (5) seats.

- (c) Racetracks: minimum 3,000 automobile parking spaces shall be provided for.
- (d) Athletic and recreational establishments. Automobile parking spaces shall be provided in the ratio of one automobile parking space per four people to be accommodated in the establishment, according to the designed maximum capacity thereof. **[Amended 1974-07-24 by By-Law No. 3218]**
- (e) Hotels: one automobile parking space per guestroom or suite plus one space per four persons designed maximum capacity of beverage rooms, cocktail lounges and taverns.
- (f) Offices. **[Amended 1987-05-19 by By-Law No. 1987-97]**
 - [1] Business, professional and administrative offices: three spaces per 93 square metres. **[Amended 1997-06-23 by By-Law No. 1997-94]**
 - [2] Medical centres or medical and dental offices: 5.5 automobile parking spaces per 93 square metres of commercial floor area.
- (g) Theatres: one automobile parking space per five people according to the designed maximum capacity thereof.
- (h) Undertaking establishments: eight automobile parking spaces per 93 square metres of gross floor area. **[Amended 1984-09-04 by By-Law No. 1984-187]**
- (i) Curling-rinks: Notwithstanding the provisions of Subsection C(3)(d) hereof, parking areas shall be provided for curling-rinks, in addition to any other parking area required for any other use with which a curling-rink may be associated in the same building or buildings on the same lot,

and shall be provided in all cases in the ratio of one automobile parking space per two persons designed capacity of the establishments. "Designed capacity" shall mean 20 persons per curling sheet. **[Amended 1990-07-23 by By-Law No. 1990-154]**

- (j) Nursery schools and day nurseries: one automobile parking space per staff member and, in instances where such use is the sole use of a site, an additional two spaces are to be provided and designated for delivery and pick-up only.⁸ **[Amended 1985-09-09 by By-Law No. 1985-208]**
- (k) Dwelling units above business uses: one automobile parking space for each dwelling unit. **[Added 1979-06-25 by By-Law No. 1979-165]**
- (l) Parking requirements for restaurants: see § 320-23. **[Added 1985-02-11 by By-Law No. 1985-27]**
- (m) Bowling-alleys: Notwithstanding the provisions of Subsection C(3)(d) hereof, parking areas shall be provided for bowling-alleys, in addition to any other parking area required for any other use with which a bowling-alley may be associated in the same building or buildings on the same lot, and shall be provided in all cases in the ratio of four spaces per bowling lane. **[Added 1990-07-23 by By-Law No. 1990-154]**

D. Institutional [subject to § 320-19, Handicapped automobile parking spaces (minimum requirements)]. **[Amended 1960-01-18 by By-Law No. 12,100;**

⁸ Editor's Note: Original Subsection 6.15.2(g)(11), which prescribed parking requirements for restaurants, was added to follow this subsection 1979-02-19 by By-Law No. 1979-32. By-Law No. 1979-32 was subsequently repealed 1981-03-09 by By-Law No. 1981-60. For current parking requirements, see § 320-23 of this chapter.

1970-10-13 by By-Law No. 1799; 1981-09-08 by By-Law No. 1981-261]

- (1) Hospitals: one parking space per four beds, plus one per four employees.
- (2) Private and nursery schools and day nurseries: one space per staff member and, in instances where such use is the sole use of a site, an additional two spaces are to be provided and designated for delivery and pick-up only. **[Amended 1985-09-09 by By-Law No. 1985-208]**
- (3) Churches: one space per five seats designed capacity.
- (4) Libraries: space for a minimum of 12 cars.
- (5) Orphanages and homes operated by public welfare agencies: one car space per four staff members, plus one parking space per 10 inmates.
- (6) Fraternal societies: one parking space per five people to be accommodated in maximum designed capacity of the building.
- (7) Nursing and convalescent homes: one parking space per four beds.
- (8) (Reserved)¹
- (9) Medical centres or medical and dental offices: 5.5 automobile parking spaces per 93 square metres of commercial floor area. **[Added 1987-05-19 by By-Law No. 1987-97]**

E. Governmental buildings [subject to § 320-19, Handicapped automobile parking spaces (minimum requirements)]. **[Amended 1981-09-08 by By-Law No. 1981-261; 1995-01-30 by By-Law No. 1995-18]**

¹ Editor's Note: Former Subsection D(8), senior citizen dwelling units, was repealed 1996-03-08 by By-Law No. 1996-41.

- (1) Provincial, municipal and federal government buildings: one parking space per four employees and twenty-five-car public parking spaces.
- (2) Schools.
 - (a) Elementary: 0.60 spaces per 100 square metres of gross floor area.
 - (b) Secondary: 1.0 spaces per 100 square metres of gross floor area.

F. Industrial. [Amended 1970-10-13 by By-Law No. 1799; 1974-01-21 by By-Law No. 3001; 1976-02-16 by By-Law No. 3783; 1979-02-19 by By-Law No. 1979-43; 1981-03-09 by By-Law No. 1981-60; 1981-09-08 by By-Law No. 1981-261; 1985-02-11 by By-Law No. 1985-27; 1985-02-11 by By-Law No. 1985-28; 1987-05-19 by By-Law No. 1987-97; 1993-06-14 by By-Law No. 1993-101; 1996-12-09 by By-Law No. 1996-209; 1997-06-23 by By-Law No. 1997-94]

- (1) Handicapped parking spaces shall be provided in accordance with § 320-19.
- (2) One parking space for every 100 square metres of gross floor area. Notwithstanding the foregoing, parking for commercial, recreational, institutional and public agency uses permitted in the industrial zoning categories shall be provided in accordance with the provisions of §§ 320-18C, D and E.
- (3) The following parking requirements shall apply:
 - (a) Trade/convention centre: 11 spaces/100 square metres for trade and convention centres not exceeding 41,000 square metres of gross floor area; 7 spaces/100 square metres for trade and convention centres exceeding 41,000 square metres of gross floor area. Parking for administrative office areas may be provided at 3 spaces/100 square metres. The following areas

shall be excluded from the calculation of gross floor area: circulation space (i.e., hallways between rooms), mechanical/electrical rooms, washrooms, coatrooms; kitchens, loading areas and storage rooms/areas associated with loading areas. **[Amended 1997-09-22 by By-Law No. 1997-179]**

- (b) Bingo hall: 1 space/2.1 persons maximum designed capacity.
- (c) Flea market: 13 spaces/100 square metres.
- (d) Medical office/clinic uses: § 320-18D(9) shall apply to medical offices/clinics primarily occupied by physicians and dentists for serving patients. All other medical-related uses: 3 spaces/100 square metres.
- (e) Vehicle-related uses: 3 spaces/100 square metres.
- (f) Retail sales: 3 spaces/100 square metres.

**§ 320-19. Handicapped automobile parking spaces.
[Added 1981-09-08 by By-Law No. 1981-261]**

- A. The provisions of § 320-18 shall apply to handicapped automobile parking space(s), save and except that such space(s) shall not be less than 3.65 metres in perpendicular width throughout and shall be located as close as practical to the principal entrance(s) of a building. Where handicapped parking spaces are required, a curb cut or ramp shall be provided as close as practical to the principal entrance(s) and said spaces shall be identified by means of the physically handicapped symbol.
- B. The number of handicapped automobile parking spaces required may be calculated within the total number of automobile parking spaces required under § 320-18 and shall apply to those zoning categories and land uses as

specified in § 320-18C(2)(a) and (b) and (3), D and E. Handicapped automobile parking spaces shall be provided as follows:

- (1) Save and except hospitals and medical centres or clinics:

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Number of Automobile Parking Spaces Required	Minimum Number of Handicapped Automobile Parking Spaces Required
0 - 9	Nil
10 - 100	1
For each additional 100 or part thereof	1

(2) For hospitals and medical centres or clinics:

Number of Automobile Parking Spaces Required	Minimum Number of Handicapped Automobile Parking Spaces Required
0 - 9	Nil
10 - 30	1
31 - 60	2
61 - 100	3
For each additional 30 or part thereof	1

C. Subsections A and B above shall apply to all new buildings and additions to existing buildings where the addition increases the gross floor area by fifty per cent (50%) or more.

§ 320-20. Supplementary regulations for hotels. [Amended 1979-05-28 by By-Law No. 1979-129; 1985-02-11 by By-Law No. 1985-27]

A. In the area outlined under § 320-66G, no building or structure shall be hereafter erected, structurally altered, enlarged or maintained for the purpose of a hotel, except in accordance with the provisions listed below:

(1) Lot frontage: minimum eighteen (18) metres, save and except in respect of Lot 18, Plan 1229, and Lot 3, Plan 1229, where the frontage requirements shall be only fifteen (15) metres.

- (2) Lot area: minimum five hundred fifty-seven (557) square metres.
- (3) Lot coverage, maximum all buildings: thirty-five percent (35%).
- (4) Distance from front lot line: seven and five-tenths (7.5) metres.
- (5) Distance from the side lot line: minimum one and two-tenths (1.2) metres, save and except where habitable buildings, regardless of type and structure, exist on the adjacent property at a distance of less than one and two-tenths (1.2) metres from the common lot line. The minimum distance between buildings shall be two and four-tenths (2.4) metres.

B. Such establishments will be permitted notwithstanding the existing uses of property for residential purposes.

§ 320-21. Supplementary regulations for service stations.²⁰ [Added 1960-02-15 by By-Law No. 12,128]

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained for the purpose of a service station, except in accordance with the following regulations:

- A. Access. There shall be no vehicular access to a service station site except through ramps as specified in Subsection B hereof. Not less than two (2) such ramps shall be provided for each service station site.
- B. Ramps.
 - (1) Width of ramp: seven and five-tenths (7.5) metres measured perpendicular to the centre line of the ramp.
 - (2) Distance between ramps: minimum seven and five-tenths (7.5) metres measured along the street line.
 - (3) Locations of ramps. No ramp shall be closer to an intersection of two (2) streets than three (3) metres (measured

²⁰ Editor's Note: See also Municipal Code Ch. 210, Service Stations.

along the street line) from the tangent point of a street line to the corner arc of an intersection street. In no event shall any ramp be located closer than ten and five-tenths (10.5) metres (measured along the street line and its projection) to the intersection of such street line or its projection with another street line or its projection, nor closer than three (3) metres to any other property line which the ramp does not intersect.

- (4) Angle of intersection with street line. The sides of a ramp may intersect the street line at an angle less than ninety degrees (90°) but not at an angle less than sixty degrees (60°).
 - (5) Junction with travelled portion of street. No ramp may intersect a line drawn by projecting the property limit across the travelled portion of the street.
- C. Pump island set-back: minimum six (6) metres from street line.
- D. Landscaping, Where a service station abuts a residential zone, an area along the property limit at least three (3) metres wide shall be used for no purpose other than that of landscaping. **[Amended 1970-10-13 by By-Law No. 1799]**
- E. Paving and curbing. All ramps, circulation areas and parking areas shall be paved with concrete or asphalt. Any sidewalk between ramps as described in Subsection B above and/or adjacent to a property line abutting any street shall have a fifteen-hundredths-metre curb face on the road side.
- F. Lot frontage. **[Added 1967-01-30 by By-Law No. 91]**
- (1) Interior lot: minimum thirty-six (36) metres.
 - (2) Corner lot (frontage and flankage): minimum thirty-six (36) metres.

- G. No building originally designed and erected for any purpose other than a service station shall be used or converted for a service station. **[Added 1967-01-30 by By-Law No. 91]**
- H. When any building, structure or land is used or maintained for use as a service station, as defined in this chapter, no other use in addition thereto shall be permitted on the said land or within the said building or structure, except as permitted in accordance with § 320-21I. **[Added 1970-10-13 by By-Law No. 1799; amended 1995-06-26 by By-Law No. 1995-119]**
- I. Sale of convenience items. **[Added 1995-06-26 by By-Law No. 1995-119]**
- (1) The ancillary sale of convenience items shall be permitted, provided that the range of items to be sold shall be limited to such items as tobacco products, snack foods and soft drinks. The sale of perishable foods shall be prohibited.
 - (2) The maximum floor area within all buildings and structures devoted to the display/retail of the aforementioned items shall not exceed twenty (20) square metres.

§ 320-22. Supplementary regulations for car washes.
[Added 1965-09-07 by By-Law No. 15,031]

No building, structure or part thereof or land shall be used, and no building or structure or part thereof shall hereafter be erected, structurally altered, enlarged or maintained for the purpose of washing motor vehicles by mechanical means, except in accordance with the following regulations. These regulations do not apply to mechanically or manually operated wash-racks contained within a service station or public garage where the floor area used for such purpose is not designed or solely used for such washing facilities and does not exceed thirty-eight (38) square metres.

A. Ramps: ingress and egress only.

- (1) Ramps shall be entirely separate from any other garage facility.
- (2) In the case of one (1) wash-rack, the ramp shall not exceed six (6) metres in width measured perpendicular to the centre line of the ramp where the prolongation of the centre line intersects the street line. In the case where more than one (1) rack is served, the ramp shall not exceed nine (9) metres in width measured along the street line.
- (3) No ramp, whether for one-way or two-way traffic, shall exceed nine (9) metres in width.
- (4) Ramps shall not be less than seven and five-tenths (7.5) metres apart measured along the street line.
- (5) Entrance and exit ramps shall be not closer than forty-five (45) metres and ten and five-tenths (10.5) metres, respectively, when measured along the street line, from the intersection of two (2) street lines [in the case of a radius from the projected intersection of the two (2) street lines] nor closer than three (3) metres to any other property limit, nor cross the projections of the property limits at the travelled portion of road allowance.
- (6) The sides of a ramp may intersect the street line at an angle less than ninety degrees (90°) but not at an angle less than sixty degrees (60°).

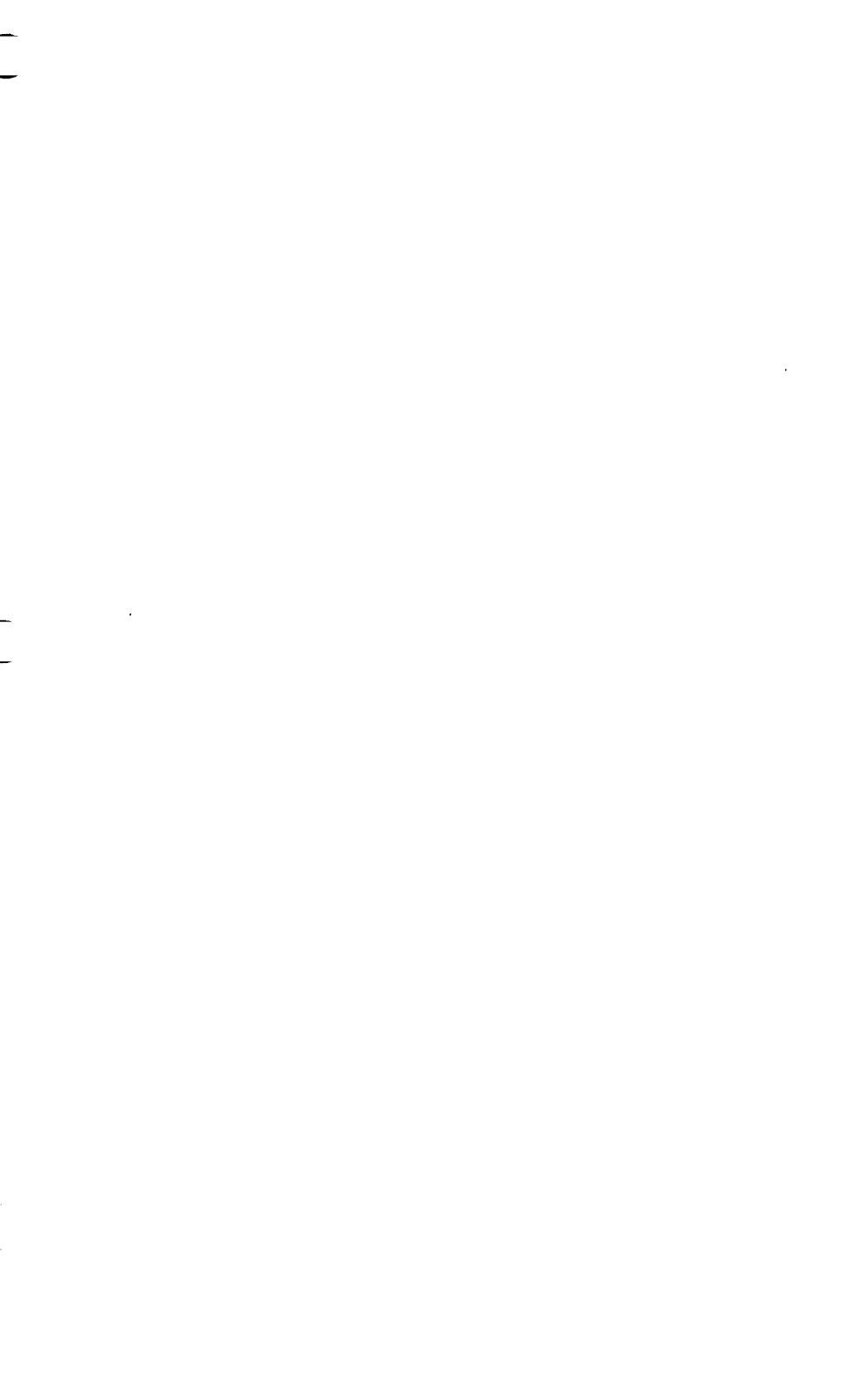
B. Vehicle waiting line.

- (1) Vehicle waiting lines shall be provided on the building lot to accommodate not less than thirty (30) vehicle spaces for each wash-rack, and each vehicle space shall be not less than six and five-tenths (6.5) metres long nor less than three (3) metres wide. Not more than two (2) waiting lines shall be permitted for each wash-rack.

- (2) The minimum inside radius for a vehicle waiting line shall be six (6) metres, and each line shall have not more than two (2) turning radii.
 - (3) Waiting lines shall be not less than three (3) metres wide when measured from one lane divider to another.
- C. Location of wash-rack terminus. The point at which the cars leave the wash-rack shall be not closer than nine (9) metres from the exit door, and the exit door shall not be closer than nine (9) metres from the street line, provided that the building set-back requirements of this chapter are satisfied where those requirements are in excess of nine (9) metres.
- D. Steam-hoses. No cleaning operations of any sort shall be carried on outside the building.
- E. Paving and curbing. All ramps, waiting lines, circulation areas and parking areas shall be paved with concrete or asphalt. Permanent continuous curbing fifteen-hundredths metre in height and width shall be installed to define waiting lines, circulation areas, parking areas and any landscaped area.
- F. Landscaping.
- (1) Exclusive of access ramps, areas shall be provided along the property limits in accordance with the following provisions, which shall be used for no purpose other than landscaping or sodding:
 - (a) Front property limit: minimum seven and five-tenths (7.5) metres wide.
 - (b) Rear and side property limits: minimum three (3) metres wide.
 - (2) Where a property limit abuts a residentially zoned area, such property limit shall be fenced.
 - (3) The rear property limit of a reversed corner lot shall be fenced.

- G. Lighting. All lighting fixtures and illuminated signs shall be arranged so as to be directed away from neighbouring properties.
- H. Sale of convenience items. **[Added 1995-06-26 by By-Law No. 1995-119]**
- (1) The ancillary sale of convenience items shall be permitted, provided that the range of items to be sold shall be limited to such items as tobacco products, snack foods and soft drinks. The sale of perishable foods shall be prohibited.
 - (2) The maximum floor area within all buildings and structures devoted to the display/retail of the aforementioned items shall not exceed twenty (20) square metres.

(Cont'd on page 32053)



§ 320-23. Supplementary regulations for restaurants.
[Added 1969-07-07 by By-Law No. 1298;
amended 1979-02-19 by By-Law No. 1979-32;
1979-07-23 by By-Law No. 1979-199;³ 1980-07-07
by By-Law No. 1980-212; 1981-03-09 by By-Law
No. 1981-60;⁴ 1981-09-08 by By-Law No. 1981-261;
1985-02-11 by By-Law No. 1985-27; 1991-08-16 by
By-Law No. 1991-135; 1993-06-01 by By-Law No.
1993-97]

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained for the purpose of a restaurant, except in accordance with the following regulations:

A. Parking. Subject to §§ 320-19, 330-17, 340-22 and 350-29, Handicapped automobile parking spaces, the parking requirements for restaurants in the Limited Commercial (CL), Neighbourhood Commercial (CN), General Commercial (CG) and Planned Commercial Preferred (CPP) zoning categories shall be as set forth below:

- (1) Standard restaurant, take-out restaurant and bar restaurant.

³ Editor's Note: By-Law No. 1979-199 also provided as follows:

"Notwithstanding the foregoing, all buildings, structure or lands used on the date of the passage of this by-law for restaurants licenced by The Liquor Licence Act of Ontario developed in accordance with previously applicable zoning provisions may continue to be so used and maintained and shall be deemed to be uses permitted under the provisions of the said By-law 11,737 in accordance with the requirements and regulations applicable thereto immediately prior to the enactment of this by-law."

⁴ Editor's Note: By-Law No. 1981-60 also provided as follows:

"Notwithstanding the foregoing and notwithstanding Section 6.6.1 of By-Law No. 11,737 (§ 320-13) all buildings, structures, or lands used on the date of passage of the by-law for restaurant purposes and developed in accordance with all previously applicable zoning provisions, where same are damaged in whole or in part by causes beyond the control of the owner or any other person with an interest therein; said owner or other person may restore said damaged buildings, lands, or structures to a size not to exceed the lot coverage, and floor space index of the premises as they existed prior to damage, but may only use the lands in an identical manner as they were used prior to the damage."

**Standard Restaurant,
Take-Out Restaurant
and Bar Restaurant**

Not exceeding 150 square metres

Greater than 150 square metres but not exceeding 175 square metres

Greater than 175 square metres but not exceeding 200 square metres

Standard and take-out greater than 200 square metres

Bar restaurant greater than 200 square metres

**Minimum Number
of Parking Spaces**

3 spaces for every 93 square metres of commercial floor space

5 spaces for every 93 square metres of commercial floor space

8 spaces for every 93 square metres of commercial floor space

10 spaces for every 93 square metres of commercial floor space

12 spaces for every 93 square metres of commercial floor space

(2) Convenience restaurant.

Convenience Restaurant

Not exceeding 150 square metres

Greater than 150 square metres but not exceeding 175 square metres

Greater than 175 square metres but not exceeding 200 square metres

Greater than 200 square metres

**Minimum Number
of Parking Spaces**

3 spaces for every 93 square metres of commercial floor space

7 spaces for every 93 square metres of commercial floor space

11 spaces for every 93 square metres of commercial floor space

15 spaces for every 93 square metres of commercial floor space

B. Parking. Subject to §§ 320-19, 330-17, 340-22 and 350-29, Handicapped automobile parking spaces, the parking requirements for restaurants in the Regional Planned Commercial (CP Regional), Local Planned Commercial (CP Local), Class 1 Industrial (IC-1), Class 2 Industrial (IC-2) and Class 3 Industrial (IC-3) zoning categories shall be as set forth below:

- (1) Standard restaurant, take-out restaurant and bar restaurant.

**Standard Restaurant,
Take-Out Restaurant
and Bar Restaurant**

**Minimum Number
of Parking Spaces**

Not exceeding 150 square metres

5.5 spaces for every 93 square metres of commercial floor space

Greater than 150 square metres but not exceeding 175 square metres

7 spaces for every 93 square metres of commercial floor space

Greater than 175 square metres but not exceeding 200 square metres

8.5 spaces for every 93 square metres of commercial floor space

Standard and take-out greater than 200 square metres

10 spaces for every 93 square metres of commercial floor space

Bar restaurant greater than 200 square metres

12 spaces for every 93 square metres of commercial floor space

- (2) Convenience restaurant.

Convenience Restaurant

**Minimum Number
of Parking Spaces**

Not exceeding 150 square metres

5.5 spaces for every 93 square metres of commercial floor space

Convenience Restaurant	Minimum Number of Parking Spaces
Greater than 150 square metres but not exceeding 175 square metres	9 spaces for every 93 square metres of commercial floor space
Greater than 175 square metres but not exceeding 200 square metres	12 spaces for every 93 square metres of commercial floor space
Greater than 200 square metres	15 spaces for every 93 square metres of commercial floor space

- C. Notwithstanding the foregoing, the parking requirement for restaurants in operation on or before the date of passage of this By-Law No. 1981-60, and bar restaurants in operation as of the date of the passage of By-Law 1993-97, shall be as follows:
- (1) In CL, CN, CG and CPP zoning categories: three (3) spaces per ninety-three (93) square metres of commercial floor space for the first one hundred fifty (150) square metres of commercial floor space.
 - (2) In CP Regional, CP Local, IC-1, IC-2 and IC-3 zoning categories: five and five-tenths (5.5) spaces per ninety-three (93) square metres of commercial floor space for the first one hundred fifty (150) square metres of commercial floor space.
 - (3) The parking requirements for that portion of the restaurant which exceeds one hundred fifty (150) square metres in commercial floor space shall be as set out in Subsections A and B.
- D. Notwithstanding the foregoing, the parking requirement for a restaurant or bar restaurant which serves a function that is clearly ancillary and subordinate to the prime function of an establishment shall be equal to that of the prime user. For the purpose of this section, a restaurant or bar restaurant shall be deemed an

ancillary use only if the said establishment is wholly contained within a retail commercial establishment, or building (where the use is not retail commercial). Such restaurants or bar restaurants shall be accessible only from the prime user and shall not have separate public access or external signage. Restaurants or bar restaurants in covered malls shall not be considered ancillary uses unless such restaurants are wholly contained within another retail establishment in the covered mall. Bar restaurants located in the foregoing establishments, shall also be subject to § 320-23F(1) of this chapter.

- E. None of the foregoing parking requirements shall apply to restaurants, including bar restaurants which locate in hotels; where applicable, beverage rooms, cocktail lounges and taverns located within hotels, shall continue to be subject to § 320-18C(3)(e).
- F. The following regulations shall apply to restaurants which feature drive-through windows. (For the purpose of this section, a "drive-through window" shall mean any facility which enables the customer to order and collect food from the automobile for consumption elsewhere than within the restaurant building.)
 - (1) One (1) stacking lane, in addition to the required parking as set out in Subsections A and B, shall be provided in advance of the pick-up window, to accommodate a minimum of ten (10) vehicles. The minimum width of the said lane shall not be less than three (3) metres, and the minimum depth per

(Cont'd on page 32055)

vehicle shall not be less than six metres. The said stacking lane shall be clearly marked by striping or concrete curbing. **[Amended 1991-08-16 by By-Law No. 1991-135]**

- (2) The width of the pavement where the stacking lane and driveway coincide shall be a minimum of 7.3 metres.
- G. Restaurants whose operations or business include features or attractions other than those necessarily ancillary to the preparation and dispensing of food, including, without limiting the generality of the foregoing, dancing area, live bands, disc jockeys, entertainment area, floor shows and adult entertainment and bar restaurants shall be subject to the following restrictions:
- (1) Such restaurants and bar restaurants or the lands required for parking or access thereto shall be situated not closer than 90 metres from a property zoned residential.
- H. Fencing. Where a restaurant site abuts a residential zone, a one-and-eight-tenths-metre-high metal or wood screen fence shall be installed along the boundary of the property line.
- I. Lighting. All lighting fixtures and free-standing illuminated signs on restaurant or bar restaurant sites shall be arranged so as to be oriented away from neighbouring residential properties.
- J. Waste receptacles.
- (1) Convenience and take-out restaurants shall supply waste receptacles at a ratio of one receptacle per five parking spaces, and they shall meet the following requirements:
 - (a) The receptacle shall be enclosed in a concrete, wood, metal, plastic or other suitable impervious material.

- (b) The receptacle enclosure shall be anchored to the ground.
 - (2) The operator of a food vending cart shall be required to maintain one waste receptacle, which receptacle shall be enclosed in concrete, wood, metal, plastic or other suitable impervious material. **[Added 1994-08-19 by By-Law No. 1994-139]**
- K. No building, structure or part thereof used as a restaurant or bar restaurant with a commercial floor area of less than 112 square metres shall be licenced by the Liquor Licence Act of Ontario.
- L. No food vending cart shall be located closer than three metres to any street line, and such food vending cart shall be located on the paved portion of the property. **[Added 1994-08-19 by By-Law No. 1994-139]**
- M. Outdoor patios in side yards or rear yards used in association with standard restaurants which do not include a dancing area, live bands, disc jockey, entertainment area, floor show or adult entertainment shall be situated not closer than 40 metres (135 feet) from a property zoned residential, that distance to be measured from the closest point between the patio and the nearest lot line of the residential zone. **[Added 1995-11-13 by By-Law No. 1995-208]**
- N. Customer dining facilities of up to five seats shall be permitted in retail stores, beverage stores, bakeries and dairies. **[Added 1996-12-09 by By-Law No. 1996-210]**
- O. Restaurants, bar restaurants and banquet halls shall be permitted to include a commercial outdoor roof top patio as an accessory use, provided that the commercial outdoor roof top patio shall comply with the following regulations: **[Added 2005-04-14 by By-Law No. 278-2005; amended 2007-02-06 by By-Law No. 131-2007]**

- (1) A commercial outdoor roof top patio shall:
- (a) Not be located any closer than 40 metres to a lot in a residential zone, measured horizontally at grade;
 - (b) Be located only within the half of the roof area that is closest to the front wall of the building;
 - (c) Have a maximum area of 50 square metres or 20% of the floor area used for patron seating inside the restaurant, bar restaurant or banquet hall, whichever is less;
 - (d) Have an acoustical wall, 1.8 metres high, erected around the perimeter of the patio, provided the acoustical wall is a maximum of 1.2 metres high along the street edge of the building;
 - (e) Not include any area that is used for any of the following purposes:
 - [1] Dance floor.
 - [2] Stage.
 - [3] Disc jockey.
 - [4] Television.
 - [5] Mechanical, electrical, or electronic music equipment.
 - [6] Live bands.
 - [7] An area used for the purposes of recreational activities.
 - (f) Direct any lighting away from adjoining properties and streets in the event that lighting is provided; and
 - (g) Gain regular ingress and egress from the interior of the building, and any exterior stair access shall only be used for emergency and fire

safety purposes, as may be required by the Ontario Building Code.

**§ 320-24. Supplementary regulations for lodging-houses.¹
[Added 1981-10-05 by By-Law No. 1981-297]**

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained for the purpose of a lodging-house, except in accordance with the following regulations, notwithstanding any other provisions in this chapter to the contrary:

- A. Dwelling type. The dwelling type shall be a fully detached residential building occupied wholly by the lodging-house use.
- B. Minimum lot area. Minimum lot area shall be 460 square metres.
- C. Minimum lot frontage. Minimum lot frontage shall be 12.0 metres.
- D. General zoning requirement. The building shall comply with the requirements for residential development within the zone category in which the lodging-house is located.
- E. Occupancy. A lodging-house shall be owner-occupied.
- F. Intensity of use. There shall be a minimum floor area per resident of 23 square metres, up to a maximum of 10 residents per dwelling.

¹ Editor's Note: Original section 6.20, Development Control, which preceded this section and was added 1974-11-04 by By-Law No. 3401 and amended 1977-07-18 by By-Law No. 4164, was deleted during codification. Adopted under Section 35a of the Planning Act, R.S.O. 1970. By-Law No. 3401 is applicable to development prior to June 22, 1979, and is on file and may be examined in the office of the City Clerk. For current provisions regarding site plan control, see Section 40 of the Planning Act, R.S.O. 1980, and Ch. 326, Site Plan Control.

- G. Minimum rear or side yard. For retirement homes or rest-homes, the minimum side or rear yard area shall be 14 square metres for each resident but not less than 116 square metres in total.
- H. Minimum landscaped area. A minimum landscaped area of 75 square metres shall be provided in either the rear or side yard.
- I. Distance between lodging-houses. There shall be a minimum separation radius of 300 metres measured from property line to property line between any two lodging-houses or between a lodging-house and a group home or any other similar type of residential care facility.
- J. All licenced lodging-houses in existence prior to passage of this section shall continue to be deemed permitted uses, provided that said uses are in conformity with Borough of Etobicoke By-Law No. 1978-41.²

**§ 320-24.1. Supplementary regulations for group homes.
[Added 1986-01-13 by By-Law No. 1986-12³]**

No building or structure or land shall be used and no building or structure shall hereafter be erected, structurally altered, enlarged or maintained for the purpose of a group home, except in accordance with the following regulations, notwithstanding any other provision in this chapter to the contrary:

- A. Dwelling type. A group home may locate in any fully detached residential dwelling, duplex and triplex dwellings and in any two semi-detached dwellings which are joined to one another, provided that the building is occupied wholly by that use.

² Editor's Note: See Municipal Code Ch. 166, Lodging-Houses.

³ Editor's Note: This by-law also provided that "for the purposes of this by-law, the following definition shall apply: 'Floor Space' shall mean the total gross floor area of a dwelling as defined in § 320.3B of the Zoning Code."

- B. Distance between group homes. There shall be a minimum radius of 800 metres measured from property line to property line between any two group homes, as defined in § 320-3B herein, and any form of residential care facility.
- C. Registration. No owner or operator of a group home shall commence operation without having registered the proposed group home with the City of Etobicoke.
- D. Parking. Notwithstanding the provisions of § 320-18B, at least two on-site automobile parking spaces shall be provided. These spaces may be tandem and one may be in a garage.
- E. Minimum floor space. A minimum floor space of 23 square metres (exclusive of the basement area) shall be provided for each resident, exclusive of staff.
- F. Minimum lot area. There shall be a minimum lot area of 460 square metres for any group home.
- G. Minimum rear yard. There shall be a minimum rear yard area of 14 square metres for each group home resident, but not less than 116 square metres in total.
- H. General zoning requirement. The building shall comply with the requirements for residential development within the zoning category in which the group home is located.
- I. General health requirement. A group home shall be constructed and used so that it complies with the laws affecting the health and the inhabitants and any rule, regulation, direction or order of the Local Board of Health and/or any direction or order of the Local Medical Officer of Health.
- J. All licensed group homes in existence prior to passage of this section shall continue to be deemed permitted uses.
- K. Correctional group homes shall only be located on a public road designated as an arterial road by the Municipality of Metropolitan Toronto.

§ 320-24.2

ZONING BY-LAW

§ 320-24.2

**§ 320-24.2. Supplementary regulations for churches.
[Added 1988-10-31 by By-Law No. 1988-236]**

A. Permitted locations (subject to Subsection B).

(Cont'd on page 32056.3)

(1) Etobicoke.

- (a) Institutional (I);
 Agricultural (A);
 Private Open Space (POS);
 Fourth Density Residential (R4);
 Fifth Density Residential (R5);
 Neighbourhood Commercial (CN);
 Limited Commercial (CL);
 Regional Planned Commercial (CPR);
 Planned Commercial Preferred (CPP);
 Class 1 Industrial (IC-1);
 Class 2 Industrial (IC-2);
 Class 3 Industrial (IC-3) Zones.
- (b) First Density Residential (R1);
 Second Density Residential (R2); and
 Third Density Residential (R3), where such zones
 front the roads listed below:

[Roads within (or proposed to be within) the jurisdictional control of the Ministry of Transportation and Communications and the Corporation of Metropolitan Toronto as shown within the Metropolitan Toronto Official Plan]

Road	From	To
Queen Elizabeth Way	Etobicoke Creek	Humber River
Highway No. 27	Eglinton Avenue West	Steeles Avenue West
Macdonald-Cartier Freeway (Highway No. 401)	Renforth Drive	Humber River
Highway No. 409	Highway No. 427	Highway No. 401
Highway No. 427	Queen Elizabeth Way	Steeles Avenue West
Albion Road	Steeles Avenue West	Humber River
Bloor Street West	Etobicoke Creek	Humber River
Beamish Drive	Dundas Street West	Bloor Street West
Brown's Line	Evans Avenue	Lakeshore Boulevard West

Road	From	To
Burnhamthorpe Road	Etobicoke Creek	Dundas Street West
Dixon Road	Highway No. 427	Scarlett Road
Dunbloor Road	Dundas Street West	Bloor Street West
Dundas Street West	Etobicoke Creek	Humber River
Eglinton Avenue West	Etobicoke Creek	Humber River
Finch Avenue West	Highway No. 427	Albion Road
Government Road	The Kingsway	Royal York Road
Islington Avenue	Northerly limit of the Town of New Toronto	Finch Avenue
Kipling Avenue	Northerly limit of the Town of New Toronto	Steeles Avenue West
Lakeshore Boulevard West	Easterly limit of the Town of Mimico	Humber River
Lawrence Avenue	Scarlett Road	Humber River
The Queensway	Etobicoke Creek	Humber River
Rexdale Boulevard	Highway No. 427	Islington Avenue
Scarlett Road	Dixon Road	Humber River
St. Phillips Road	Dixon Road	Humber River
Steeles Avenue West	Highway No. 50/Albion Road	Humber River
Finch Avenue	Albion Road	Humber River
Wilson Avenue	Rexdale Boulevard	Albion Road

(Roads which comprise part of the Principal Road Network of the City of Etobicoke as contained within Official Plan Amendment No. C-60-86)

Road	From	To
Attwell Drive	Disco Road	Dixon Road
Belfield Road	Attwell Drive	Kipling Avenue
Bergamot Avenue	Rexdale Boulevard	Islington Avenue
Bethridge Road	Highway No. 27	Kipling Avenue
Burnhamthorpe Crescent	Burnhamthorpe Road	Dundas Street West

Road	From	To
Cadmark Place	Highway No. 27	Rexdale Boulevard
Carlingview Drive	Disco Road	Highway No. 401
Central Park Road- way	Cordova Avenue	Islington Avenue
Cordova Avenue	Dundas Street West	Islington Avenue
Disco Road	Highway No. 427	Attwell Drive
The East Mall	Eglinton Avenue	Evans Avenue
East Mall Crescent	The East Mall	Dundas Street West
Eva Road	The West Mall	Highway No. 427
Evans Avenue	The West Mall	Royal York Road
Farnboro Road	Attwell Drive	Highway No. 27
Fasken Drive	Highway No. 427	Carlingview Drive
Galaxy Boulevard	International Boule- vard	Skyway Avenue
Gibbs Road	Highway No. 427	The East Mall
Holiday Drive	The West Mall	Highway No. 427
Horner Avenue	Brown's Line	Evans Avenue
Humber College Boulevard	Finch Avenue	John Garland Boule- vard
Humberline Drive	Albion Road	Humber College Boulevard
International Boule- vard	Carlingview Drive	Galaxy Boulevard
Lambeth Road	The Kingsway	Royal York Road
Lawrence Avenue	Royal York Road	Scarlett Road
Loop Road ¹	Highway No. 27	Bethridge Road
Martin Grove Road	Steeles Avenue West	Burnhamthorpe Road
Meridian Road (south leg)	Skyway Avenue	Highway No. 27
Morning Star Drive	Highway No. 427	Woodbine Downs
North Queen Street	The Queensway	Kipling Avenue
Park Lawn Road	Berry Road	Lakeshore Boulevard West
Racine Road	Martin Grove Road	Kipling Avenue
Rathburn Road	Mill Road	Islington Avenue
Richview Road	Scarlett Road	Eglinton Avenue

¹ Editor's Note: Now known as "Queen's Place Drive."

Road	From	To
Royalcrest Road	Highway No. 27	Martin Grove Road
Royal York Road	Dixon Road	Evans Avenue
Shorncliffe Road	Dundas Street West	North Queen Street
Skyway Avenue	Dixon Road	Galaxy Boulevard
Steeles Avenue	Highway No. 50	Kipling Avenue
St. Lawrence Avenue	Queen Elizabeth Way	The Queensway
Usher Avenue	The Kingsway	Royal York Road
Valhalla Inn Road	Highway No. 427	The East Mall
West Mall Crescent	Dundas Street West	The West Mall
The Westway	Martin Grove Road	Royal York Road
Widdicombe Hill Boulevard	Eglinton Avenue	Kipling Avenue
Woodbine Downs	Humberline Drive	Rexdale Boulevard

(2) Town of Mimico.

- (a) Residential (R2); Residential (R3); Residential (R4); and Commercial (C) Zones.
- (b) Residential (R1); and Residential (R2A), where such zones front the roads listed below:

(Roads within the jurisdictional control of the Corporation of Metropolitan Toronto as shown within the Metropolitan Toronto Official Plan)

Road	From	To
Lakeshore Boulevard West	Dwight Avenue	Easterly limit of the Town of Mimico

(Roads which comprise part of the Principal Road Network of the City of Etobicoke as contained within Official Plan Amendment No. C-60-86)

Road	From	To
Drummond Street	Dwight Avenue	Royal York Road
Dwight Avenue	Drummond Street	Lakeshore Boulevard West

Road	From	To
Mimico Avenue	Royal York Road	Lakeshore Boulevard West
Royal York Road	Evans Avenue	Lakeshore Boulevard West

(3) Town of New Toronto.

- (a) Residential, Third Density (R3) District;
Residential, Fourth Density (R4) District; and
Commercial (C) District Zones.
- (b) Residential, First Density (R1) District; and
Residential, Second Density (R2) District, where
such zones front the roads listed below:

(Roads within the jurisdictional control of the Corporation of Metropolitan Toronto as shown within the Metropolitan Toronto Official Plan)

Road	From	To
Islington Avenue	Northerly limit of the Town of New Toronto	Lakeshore Boulevard West
Kipling Avenue	Northerly limit of the Town of New Toronto	Lakeshore Boulevard West
Lakeshore Boulevard West	Twenty-Third Street	Dwight Avenue

(Roads which comprise part of the Principal Road Network of the City of Etobicoke as contained within Official Plan Amendment No. C-60-86)

Road	From	To
New Toronto Street	Kipling Avenue	Dwight Avenue

(4) Village of Long Branch.

- (a) Residential Multiple -1 (RM-1) District;
Residential Multiple -2 (RM-2) District;
Residential Multiple Apartments (RMA) District;
and
Commercial (C-1) District Zones.

- (b) Residential Single-Family (RS) District. where such zone fronts the road listed below:

(Roads within the jurisdictional control of the Corporation of Metropolitan Toronto as shown within the Metropolitan Toronto Official Plan)

Road	From	To
Lakeshore Boulevard West	Etobicoke Creek	Twenty-Third Street

B. Exemptions. The following shall not be subject to the supplementary regulations for churches, provided that such uses shall continue to be subject to the applicable provisions contained elsewhere in the Zoning Code:

- (1) Churches in existence as of May 4, 1987.
- (2) Church additions or expansions totalling fifteen per cent (15%) or less of the total gross floor area.
- (3) Buildings erected for educational purposes if operated, or formerly operated, by public or separate school boards.
- (4) Joint school-church facilities in existence as of May 4, 1987.

C. Parking: one (1) space per five-person capacity of the main assembly area. Where a banquet hall, bingo hall, church hall or other accessory use, on the same site, can accommodate more persons than the main assembly area, the greater requirement of the two (2) uses shall apply.

D. Parking lots. All parking lots shall be curbed and paved to current city standards and shall maintain a one-and-five-tenths-metre setback from all property lines, except from the front lot line, in which case a three-and-zero-tenths-metre setback shall be maintained. Fencing shall be provided in accordance with Subsection G.

- E. Landscaping. A one-and-five-tenths-metre landscaped strip shall be provided along the entire perimeter of the property except for the frontage where a three-and-zero-tenths-metre-wide landscaped strip shall be provided.
- F. Minimum lot areas. A minimum lot area of two thousand sixteen (2,016) square metres shall be maintained.
- G. Minimum lot frontages. A minimum lot frontage of thirty and zero-tenths (30.0) metres shall be maintained.
- H. Minimum setbacks. A minimum front and rear yard of seven and five-tenths (7.5) metres shall be required, and a minimum sideyard of four and five-tenths (4.5) metres shall be required.
- I. Fences. No fence shall exceed one and nine-tenths (1.9) metres [on or within one and two-tenths (1.2) metres of a lot line] except if located closer to the street line than the main building, in which case the maximum height shall be one and zero-tenths (1.0) metre. All rear lot parking areas and driveways leading thereto shall be fenced with solid screening if abutting a residential zone or use.
- J. Accessory structures. The maximum permitted coverage of all accessory structures, including banquet halls, bingo halls, church halls, etc., shall not exceed fifteen per cent (15%) of the lot area. A minimum setback of one and five-tenths (1.5) metres or one-half ($\frac{1}{2}$) the height of the said accessory structure, whichever is greater, shall be maintained from all property lines.
- K. Height. The height of the main building shall not exceed eleven and zero-tenths (11.0) metres on lots under four-tenths (0.4) hectare in size. The height of accessory structures shall not exceed three and seven-tenths (3.7) metres.

§ 320-24.3. Supplementary regulations for waste disposal/recycling facilities. [Added 1992-10-05 by By-Law No. 1992-179¹]

A. Permitted locations (subject to compliance with Subsections B, C, D and E).

- (1) The lands known municipally as 5 Brydon Drive.
- (2) Class 3 Industrial (I-C3).
- (3) 67 Shorncliffe Road. **[Added 1994-05-16 by By-Law No. 1994-69]**
- (4) The lands known municipally as 90 Shorncliffe Road [also subject to specific provisions in the By-Law No. 737-2004 (OMB)] **[Added 2004-01-14 (OMB) by By-Law No. 737-2004]**

B. Separation distance.

- (1) Waste disposal/recycling site shall maintain a minimum separation distance of 100 metres from any land zoned:

First Density Residential (R1)
Second Density Residential (R2)
Third Density Residential (R3)
Fourth Density Residential (R4)
Group Area Fourth Density Residential (R4G)
Fifth Density Residential (R5)
Sixth Density Residential (R6)
Institutional (I)
Private Open Space (POS)
Open Space (OS)
Regional Open Space (ROS)
Waterfront (W)
Agricultural (A)

¹ Editor's Note: This by-law also provided that existing facilities dealing with waste materials which have been developed in accordance with the zoning provisions in effect prior to the enactment of the by-law, but are not in accordance with the provisions of the by-law, shall be deemed to have lawful, nonconforming status, in accordance with Section 34(9) of the Planning Act, R.S.O. 1990, c.P.13, as amended.

- C. Location on certain roads. Waste disposal/recycling facilities shall not be permitted to abut the roads listed below:

Road	From	To
Martin Grove Road Rexdale Boulevard	Dixon Road Highway No. 27	Berry Creek Kipling Avenue

- D. Building type. When any building or structure is used or maintained for use as a waste disposal/recycling facility as defined in this chapter, no other use in addition thereto shall be permitted within said building or structure. Said building or structure shall be fully enclosed.
- E. Outside storage. No outside storage, including storage in parked trucks or enclosed containers, shall be permitted.
- F. Fencing of yards. Yards abutting a street where trucks manoeuvre, weigh in and load/unload and where waste and/or recycled materials are handled shall be enclosed by a two-and-four-tenths-metre-high solid metal, wood or masonry fence. If constructed of wood or metal, the fence is to be painted and maintained. The location of such fence shall comply with § 320-107B, C(1) and D(1)(a) of the Zoning Code. **[Added 1994-08-19 by By-Law No. 1994-124]**

§ 320-24.4. Supplementary regulations for municipal leaf and yard waste composting sites. [Added 1992-10-05 by By-Law No. 1992-179]

- A. Permitted locations. The development of municipal leaf and yard waste composting sites shall be permitted only in public parks which exceed 20 hectares in size.

(Cont'd on page 32058.3)

§ 320-24.5. Supplementary regulations for satellite dishes. [Added 1994-10-17 by By-Law No. 1994-175]

Satellite dishes shall be permitted as an accessory use to a permitted use, in all zoning categories, subject to the following provisions:

- A. The installation of satellite dishes and supporting structures shall comply with all development standards for an accessory structure, where applicable, or otherwise with the development standards applicable to the permitted use within the zone category in which the satellite dish is to be installed.
- B. Notwithstanding §§ 320-9B and 320-43E(1) of the Zoning Code, satellite dishes and supporting structures in all Residential Zones shall not exceed five (5) square metres in area and four (4) metres in height nor shall satellite dishes and supporting structures in all other zones exceed seven and three-tenths (7.3) square metres in area and four (4) metres in height. Where satellite dishes and supporting structures are attached to a building, they shall not exceed the maximum height permitted within the zone category in which the satellite dish is to be installed. Where the building has a pitched roof, the satellite dish and supporting structure shall not exceed the highest point of the roof.

§ 320-24.6. Supplementary regulations for schools. [Added 1995-11-27 by By-Law No. 1995-222]

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained for the purpose of a school, except in accordance with the following regulations:

- A. Exemptions. New schools, portables and additions, which are less than fifteen per cent (15%) of the total gross floor area of existing buildings shall not be subject to the supplementary regulations for schools, provided that

such uses shall continue to be subject to the applicable provisions contained elsewhere in the Zoning Code.

- B. Landscaping. A one-and-five-tenths-metre landscaped strip shall be provided along the entire perimeter of the property, except for the frontage where a three-and-zero-tenths-metre-wide landscaped strip, to include driveways for pick-up/drop-off, parking lots and play areas, shall be provided. Property lines which abut H.E.P.C. Corridors and/or parkland are exempt from this requirement.
- C. Minimum setbacks. A minimum front and rear yard of seven and five-tenths (7.5) metres shall be required, and a minimum sideyard of three and zero-tenths (3.0) metres shall be required.
- D. Fences. No fence shall exceed two and five-tenths (2.5) metres except if closer to the street line than the main building, in which case the maximum height shall be one and two-tenths (1.2) metres. Baseball play areas shall be exempt from fence height requirements.
- E. Height. The height of the main building shall not exceed fourteen and zero-tenths (14.0) metres, exclusive of mechanical penthouse and/or roof structures.
- F. Parking. Parking for schools shall be provided in accordance with the relevant sections in the Zoning Code [§§ 320-18 E(1), 330-16B, 340-34 and 340-40 and 350-26B(4)], as amended by By-Law No. 1995-18.
- G. Parking lots. A one-and-five-tenths-metre set-back shall be provided for all parking lots (except for property lines which abut H.E.P.C. Corridors and/or parkland).
- H. Lot coverage. Maximum lot coverage of the main building shall not exceed thirty-three per cent (33%).
- I. Accessory uses. Accessory uses shall be subject to the applicable standards of the zone in which the school is located.

§ 320-24.7. Supplementary regulations for amusement arcades. [Added 1996-12-09 by By-Law No. 1996-210]

- A. Amusement arcades shall only be permitted as accessory uses to commercial/recreational facilities, hotels with at least 100 guest rooms or enclosed shopping malls with a minimum gross floor area of 20,000 square metres.
- B. Maximum number of amusement devices.
 - (1) Commercial/recreational use: 12.
 - (2) Hotel: 36.
 - (3) Shopping mall: 36.
- C. An amusement arcade shall comply with the following provisions:
 - (1) Amusement arcades located in hotels or shopping malls shall only be accessible from the interior of the buildings.
 - (2) Amusement arcades accessory to commercial/recreational uses shall be located on the same floor as the principal use.
 - (3) Amusement devices shall not be permitted in hallways, lobbies or other pedestrian areas.
 - (4) Public washroom facilities shall be available.
- D. A maximum of two amusement devices shall be permitted for individual commercial establishments having a minimum gross floor area of 130 square metres.

§ 320-24.8. Supplementary regulations for drive-through facilities. [Added 2002-10-03 by By-Law No. 776-2002]

- A. Permitted locations: Drive-through facilities shall be restricted to industrial zones and commercial zones. In commercial zones where residential dwelling units above

business uses are permitted on the same lot, drive-through facilities shall be prohibited.

- B. Separation distance: Where a property in any zone that permits a drive-through facility abuts any residential zone or a commercial zone which permits residential dwelling units above business uses, a minimum distance of 30 metres shall separate all points of the drive-through building or stacking lanes from any lot within any of the aforementioned zones.
- C. Combination of uses: Where the use of any land, building or structure is composed of a combination of a drive-through facility and any one or more other uses, those uses shall not be construed as accessory to one another and all provisions pertaining to each use shall apply.
- D. Restaurants which feature a drive-through window shall also be subject to the applicable regulations cited in § 320-23 of the Zoning Code.
- E. Regulations A to D, inclusive, shall not apply to the lands municipally known in the year 2001 as 5322 Dundas Street West, City of Toronto (formerly City of Etobicoke).

§ 320-24.9. Front yard landscaping. [Added 2006-09-27 by By-Law No. 973-2006⁴]

The following front yard landscaping provisions shall apply to town house dwellings where a driveway leads directly to the dwelling unit, one-family detached dwellings, semi-detached dwellings, and duplex dwellings:

- A. For lots with a frontage of less than six metres, the front yard not covered by a permitted driveway shall be maintained as landscaping.

⁴ Editor's Note: This by-law was approved as passed by the Ontario Municipal Board 2007-06-29 by Order No. 1820, with exceptions for certain properties. A copy of Order No. 1820 of the Ontario Municipal Board is on file with By-Law No. 973-2006 in the City offices.

- B. For lots with a frontage of six metres to less than 15 metres, a minimum of 50% of the front yard shall be maintained as landscaping.
- C. For lots with a frontage of 15 metres and greater, a minimum of 60% of the front yard shall be maintained as landscaping.
- D. For the purpose of this § 320-24.9, “landscaping” means trees, shrubs, grass, flowers, vegetables, and other vegetation, decorative stonework, walkways, patios, screening, or other horticultural or landscape-architectural elements, or any combination of these. Landscaping does not include driveways or parking areas, and directly associated elements such as curbs or retaining walls.

§ 320-24.10. Front yard soft landscaping. [Added 2006-09-27 by By-Law No. 973-2006⁵]

The following front yard soft landscaping provisions shall apply to town house dwellings where a driveway leads directly to the dwelling unit, one-family detached dwellings, semi-detached dwellings, and duplex dwellings:

- A. A minimum of 75% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping.
- B. For the purpose of this § 320-24.10, “soft landscaping” means trees, shrubs, grass, flowers, vegetables, and other vegetation, but does not include hard surfaced areas such as, but not limited to, driveways, parking areas, decorative stonework, walkways, patios, screening, or other landscape-architectural elements.

⁵ Editor's Note: This by-law was approved as passed by the Ontario Municipal Board 2007-06-29 by Order No. 1820, with exceptions for certain properties. A copy of Order No. 1820 of the Ontario Municipal Board is on file with By-Law No. 973-2006 in the City offices.

ARTICLE VI
A Agricultural Zone

§ 320-25. Applicability.

In addition to the general requirements in Articles II through V, the following regulations shall apply in the Agricultural Zone (A).

§ 320-26. Permitted uses.

No building, structures or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

(Cont'd on page 32058.7)

- A. Agricultural. The following types of uses: field crops, truck gardening, berry or bush crops; tree crops; flower gardening; nurseries; orchards; commercial greenhouses; aviaries; apiaries; mushroom farms; farms devoted to the hatching, raising and marketing of chickens, turkeys or other poultry, fowl, rabbits, fish or frogs; farms or ranches for grazing; breeding, raising or training horses or cattle; goat or cattle dairies; the raising of sheep or goats; the raising of swine; dog kennels or the breeding; and such uses or enterprises as are customarily carried on in the field of general agriculture. **[Added 1970-10-13 by By-Law No. 1799]**
- B. Residential. One-family detached dwellings, each of which must be erected upon parcels of land equal to at least the minimum lot area required for such dwelling, and only one such dwelling may be erected upon each said parcel of land. **[Amended 1960-01-18 by By-Law No. 12,100]**
- C. Business. Subject to Subsection H, the following uses: public parking area; race-tracks; riding stables or academies; boarding or sale of dogs or cats; animal hospitals; commercial athletic and recreational establishments of both transitory and permanent nature and day nurseries and nursery schools, as defined in § 320-3B. **[Amended 1970-10-13 by By-Law No. 1799; 1985-09-09 by By-Law No. 1985-208]**
- D. Recreational. The following types of uses: playgrounds; parks; community centres; tennis-courts; bowling-greens; stadia; swimming-pools; and golf-courses.
- E. Institutional: Subject to Subsection H, schools (public, separate, private and nursery); churches; libraries; hospitals, including public hospitals, sanatoria for consumptives and private hospitals, within the meaning of the Private Hospitals Act; orphanages or homes operated by public welfare agencies; and day nurseries and nursery schools, as defined in § 320-3B. **[Amended 1985-09-09 by By-Law No. 1985-208]**

- F. Public. Subject to Subsection H, cemeteries, but not mausolea, columbaria or crematoria; exhibition grounds; municipal waterworks; hydro substations; and municipal, provincial or federal government buildings. **[Amended 1978-01-16 by By-Law No. 1978-21]**
- G. Accessory uses: private garages; television antennae; greenhouses, stables, barns, corrals; pens; coops; kennels; poultry or rabbit killing and dressing rooms; buildings for packing or storing products raised on the premises; and other uses sim-

(Cont'd on page 32059)

ilar to the above when such uses are accessory to the principal use of the farm as set out in Subsection A, but not slaughterhouses.

- H. Business uses outlined in Subsection C, institutional uses outlined in Subsection E, with the exception of schools and churches and all public uses outlined in Subsection F shall be allowed only on properties abutting the following traffic routes: No. 27 Highway, Rexdale Boulevard and Albion Road. **[Amended 1970-10-13 by By-Law No. 1799]**
- I. Parking. Automobile parking space shall be provided in accordance with § 320-18.

§ 320-27. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the following area regulations:

- A. Lot area. **[Amended 1979-07-23 by By-Law No. 1979-198]**
- (1) Subject to Subsection A(2) and (3) of this section, the minimum area shall be four (4) hectares.
 - (2) The minimum lot area shall be two (2) hectares for the lands located at the north-west corner of Highway 27 and Rexdale Boulevard.
 - (3) The minimum lot area shall be eight-tenths (0.8) hectare in the following locations:
 - (a) The lands located within the area bounded by Rathburn Road to the south, Renforth Drive to the east, the Hydro-Electric Power Commission right of way to the north and the Etobicoke Creek to the west.
 - (b) The lands located between Islington Avenue and Kipling Avenue, south of Panorama Court and occupied by the "Thistletown Regional Centre for Children and Adolescents."
 - (c) The lands shown on Registered Plan 2181.

B. Distance from front lot line.

- (1) Dwellings and building accessory thereto: minimum ten and five-tenths (10.5) metres.
- (2) All other buildings: minimum fifteen (15) metres.

C. Distance from side lot line.

- (1) Dwellings and building accessory thereto: minimum four and five-tenths (4.5) metres.
- (2) All other buildings: minimum fifteen (15) metres.

D. Distance from rear lot line.

- (1) Dwellings and building accessory thereto: minimum fifteen (15) metres.
- (2) All other buildings: fifteen (15) metres.

E. The minimum ground floor area of every dwelling shall comply with the provision of § 320-63A.

ARTICLE VII
POS Private Open Space Zone
[Amended 1970-10-13 by By-Law No. 1799]

§ 320-28. Applicability.

In addition to the regulations under Articles II through V, the following regulations shall apply in the Private Open Space Zone POS.

§ 320-29. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Agricultural: market gardening; nurseries; and the sale of products or commodities raised on the premises if no retail

stand or commercial structure is maintained. No slaughter-houses will be permitted.

- B. Residential: one-family detached dwellings.
- C. Business: day nurseries and nursery schools. [Amended 1985-09-09 by By-Law No. 1985-208]
- D. Recreational: the following types of uses: parks; playgrounds; community centres; tennis-courts; bowling-greens; stadia; swimming-pools; and golf-courses.
- E. Institutional: schools (public, separate, private); private hospitals under the meaning of the Private Hospitals Act; churches, church halls; Sunday schools; day nurseries and nursery schools; and cemeteries but not mausolea, columbaria or crematoria. [Amended 1970-07-20 by By-Law No. 1718; 1978-01-16 by By-Law No. 1978-21; 1985-09-09 by By-Law No. 1985-208]
- F. Public: monuments, bandstands; municipal waterworks; hydro stations; and cemeteries but not mausolea, columbaria or crematoria. [Amended 1970-07-20 by By-Law No. 1718; 1978-01-16 by By-Law No. 1978-21]
- G. Accessory uses and structures: private garages; carports; television antennae; greenhouses; buildings for packing or storing products raised on the premises; and other uses similar to the above; private swimming-pools and structures in conjunction with such swimming-pools; one (1) private greenhouse not exceeding eighteen (18) square metres of floor area; lawn and garden furnishings; one (1) doghouse not exceeding one (1) square metre of floor area; tool-sheds; patios; playhouses; central air-conditioning units subject to § 320-43N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. [Amended 1960-01-18 by By-Law No. 12,100; 1962-02-05 by By-Law No. 13,167; 1967-08-08 by By-Law No. 393]
- H. Parking shall be provided in accordance with § 320-18.
- I. Signs in accordance with the regulations in § 320-17. [Amended 1965-06-07 by By-Law No. 14,897; 1979-05-28 by By-Law No. 1979-129]

§ 320-30. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the following area regulations:

- A. Lot frontage: forty-five (45) metres.
- B. Lot area: minimum four-tenths (0.4) hectare.
- C. Distance from front lot line: minimum fifteen (15) metres.
- D. Distance from side lot line: minimum seven and five-tenths (7.5) metres.
- E. Distance from rear lot line: minimum seven and five-tenths (7.5) metres.
- F. The minimum ground floor area of every dwelling shall comply with the provisions of § 320-55D.

ARTICLE VIII**OS Public Open Space Zone**

[Added 1962-09-04 by By-Law No. 13,584]

§ 320-31. Applicability.

In addition to the regulations of Articles II through V, the following regulations shall apply in the Public Open Space Zone (OS).

§ 320-32. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Agricultural: market gardening; nurseries; and the sale of products or commodities raised on the premises if no retail stand or commercial structure is maintained.
- B. Residential: nil.

- C. Business: nil.
- D. Recreational: public parks and their related recreation facilities, including arts and cultural facilities; swimming-pools; golf-courses; skating-rinks; curling-rinks; tennis-courts; bowling-greens; arenas; stadia; field houses; playlots; playgrounds; playfields; bandstands; washrooms; greenhouses; garden allotments; plant nurseries; beaches; boat liveries; community centres; community recreation buildings; and any services associated with the uses listed herein, including roadways and parking areas required to support such uses. **[Amended 1993-08-20 by By-Law No. 1993-141]**
- E. Institutional: nil.
- F. Public: monuments; municipal waterworks; hydroelectric stations; conservation works; municipal leaf and yard waste composting sites; and public parking lots. **[Amended 1992-10-05 by By-Law No. 1992-179]**
- G. Accessory uses: greenhouses, swimming-pools and structures in conjunction with such swimming-pools.
- H. Parking in accordance with § 320-18.

ARTICLE IX

I Institutional Zone

[Added 1964-07-06 by By-Law No. 14,507]

§ 320-33. Applicability.

In addition to the regulations of Articles II through V, the following regulations shall apply in an Institutional Zone (I).

§ 320-34. Permitted uses.

No buildings, structures or land shall be used and no building shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential: one one-family dwelling in conjunction with any permitted use and on the same lot therewith.
- B. Business: day nurseries and nursery schools. **[Amended 1985-09-09 by By-Law No. 1985-208]**
- C. Institutional: institutions such as colleges, schools or training and rehabilitation centres (public, separate, private), with or without dormitory and dining-room facilities; churches; church halls; libraries; museums; art galleries; Y.M.C.A.; Y.W.C.A.; Y.M.H.A.; Y.W.H.A.; medical centres; hospitals; sanatoria; day nurseries; nursery schools; social and fraternity clubs; recreational facilities; homes for the aged; nursing homes; senior citizens' apartment units; senior citizens' retirement home facilities; long-term care facilities; and useable active recreation and social spaces. **[Amended 1987-05-19 by By-Law No. 1987-97; 2003-10-09 by By-Law No. 148-2004]**
- D. Public: municipal, provincial or federal government buildings; public and private utilities; community centre; and parks and playgrounds. **[Amended 1970-10-13 by By-Law No. 1799¹]**
- E. Accessory uses: administrative offices; garages; carports; television antennae; swimming-pools and structures in conjunction with such swimming-pools; greenhouses; lawn and garden furnishings; doghouses; and a statue, monument, cenotaph, fountain or other such memorial or ornamental structures.

§ 320-35. Other requirements.

- A. Parking. Parking areas shall be provided in accordance with the provisions of § 320-18, except that no parking shall be located closer than 1.5 metres to any lot line, and all outdoor parking areas and driveways shall be

¹ Editor's Note: By-Law No. 1799 also repealed original Subsection 8B.1.3, which listed recreational uses for this district, and Subsection 8B.1.7, Signs.

curbed with permanent continuous fifteen-hundredths-metre curbing and paved with hot-mix asphalt or concrete. Where a parking area is adjacent to a residential zone, the one-and-five-tenths-metre wide area between the lot line and the parking area shall not be used for any purpose other than the erection of fences and the planting of trees, flowers and shrubs.

B. Front yards.

- (1) A front yard shall be provided in the front of the main building. Subject to Subsection B(2),

(Cont'd on page 32065)

minimum distance of buildings from the centre line of a street in front thereof shall be 17.5 metres, and in no case shall be less than 7.5 metres from the street line.

- (2) No front yard required to be provided under this chapter shall be obstructed, but this provision shall not apply to prevent the construction or location of an uncovered terrace, an open or roofed porchway or veranda, a canopy or porte-cochere, which has a maximum projection from the main front wall of 1.6 metres.

C. Side yards.

- (1) A side yard shall be provided on each side of the main building. Subject to Subsection C(2), the minimum distance of a building from each side lot line shall be not less than $\frac{1}{2}$ the height of the building or three metres, whichever distance is the greater.
- (2) In the case of a corner lot, the minimum distance from the side lot line on the street side shall be 7.5 metres or $\frac{1}{2}$ the height of the building, whichever distance is the greater.
- (3) In the case of corner lots, no side yard required to be provided under this chapter shall be obstructed, but this provision shall not apply to prevent the construction or location of an uncovered terrace, an open or roofed porchway or veranda, a canopy or a porte-cochere, which has a maximum projection from the main wall of 1.6 metres.

D. Rear yards. A rear yard shall be provided in the rear of the main buildings. The minimum distance of the building from the rear lot line shall be not less than $\frac{1}{2}$ the height of the building or 7.5 metres, whichever distance is the greater.

E. Fences. No fence on or within 1.2 metres of a lot line shall exceed 1.9 metres in height. No fence closer to a

street line than the established building line shall exceed one metre in height. [Amended 1970-10-13 by By-Law No. 1799]

F. Accessory structures and buildings.

- (1) The total lot coverage of all accessory buildings and structures shall, not exceed 15% of the lot area.
- (2) All accessory buildings and structures shall be erected a minimum distance of 1.5 metres from the rear and side lot lines or $\frac{1}{2}$ of the height of such buildings or structures, whichever distance is the greater.

ARTICLE X

W Waterfront Zone

[Added 1981-06-01 by By-Law No. 1981-188¹⁰]

§ 320-36. Applicability. [Amended 1997-06-23 by By-Law No. 1997-94]

A. Waterfront. The area lying generally to the south of the water's edge as it existed on April 22, 1980, being south of the former Village of Long Branch and the former Town of New Toronto, south of the corporate limits of the former Town of Mimico, as defined in By-Law No. 1918 of the Town of Mimico and south of the existing shoreline of the former Township of Etobicoke.

- (1) That area is bounded on the east or northeast by a line commencing at a point on the west bank of the Mimico Creek, being the northwesterly angle of a water lot patented to Ignatius Kormann on October 15, 1889, as reestablished by Speight and Van

¹⁰ Editor's Note: The Waterfront Zone was originally added 1967-02-20 by By-Law No. 133. By-Law No. 133 was repealed 1974-07-22 by By-Law No. 3207, which also added Waterfront Zone provisions. By-Law No. 1981-190, adopted 1981-06-01, repealed By-Law No. 3207 "insofar as it applies to the area of the Borough of Etobicoke located west of the Mimico Creek to the westerly boundary of the borough." Copies of applicable by-laws are on file and available for inspection in the office of the City Clerk.

Nostrand, Ward and Anderson, Ontario Land Surveyors, on January 28, 1950; thence S65° 58' 20" E (astronomic), 201.17 metres to the northeasterly angle of said water lot; thence S50° 41' 50" E (astronomic) to its intersection with the easterly limit of the Borough of Etobicoke, more particularly set out in the Territorial Division Act, R.S.O. 1970, c.458, and amendments thereto, and on the south by the southerly limit of the Borough of Etobicoke, more particularly set out in the Territorial Division Act, R.S.O. 1970, c.458, and amendments thereto, and on the west by the westerly limit of the Borough of Etobicoke, more particularly set out in the Territorial Division Act, R.S.O. 1970, c.458, and amendments thereto, all of which is more particularly shown on Schedule 'A' of By-Law No. 1981-188.

- (2) Notwithstanding the foregoing, that part of the area known as "Humber Bay West Park", located west of the Mimico Creek and Long Branch Park, including Parts 7 and 9, Plan R-1096, shall be deemed to be within the waterfront area.
- (3) Notwithstanding any of the foregoing, that area subject to By-law No. 1980-57 (Beauporte Village) shall be deemed to not be within the waterfront area.

B. In addition to the foregoing, the provisions of Articles II through V and the following regulations shall apply in the Waterfront Zone (W).

§ 320-37. Permitted uses.

No building, structure, land or water area shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

A. Agricultural: nil.

- B. Residential: nil.
- C. Business: nil.
- D. Recreational: parks; playgrounds; community centres; swimming-pools and structures in conjunction with such swimming-pools; skating-rinks; tennis-courts; bowling-greens; field houses; and bandstands.
- E. Institutional: nil. [**Amended 1984-07-30 by By-Law No. 1984-160**]
- F. Public: monuments; municipal waterworks; hydroelectric stations; conservation works; and public parking lots.
- G. Humber Bay West Park. [**Amended 1984-07-1930 by By-Law No. 1984-160**]
- (1) In addition to the foregoing, the following shall be permitted in the public area of the Humber Bay West Park as shown on Schedule A attached hereto:¹¹ greenhouses; public service structures; concession stands for the sale of food and rental of recreational equipment, including boats; day mooring; boat launch ramps; police station.
 - (2) In the Humber Bay Boating Federation Area of the Humber Bay West Park as shown on Schedule A attached hereto, and as more particularly shown on Schedule B attached hereto,¹² the following shall be permitted: yacht clubs and a sailing school operated by Humber College of Applied Arts and Technology; mooring facilities for a maximum of 700 boats; and winter storage areas for a maximum of 500 boats; club houses; dry sailing facilities; launch ramps and related equipment; other services and facilities required for the operation of boats, but shall not include facilities for major mechanical or structural

¹¹ Editor's Note: Schedule A is attached to By-Law No. 1984-160 and on file in the office of the City Clerk.

¹² Editor's Note: Schedules A and B are attached to By-Law No. 1984-160 and on file in the office of the City Clerk.

repair. The use of any club facilities for commercial purposes shall not be permitted.

H. Parking in accordance with § 320-18.

I. Colonel Samuel Smith Park. [**Added 1993-05-1917 by By-Law No. 1993-74**]

- (1) In the Sam Smith Boater's Federation Area of Colonel Samuel Smith Park as shown on Schedule A attached hereto,¹³ the following shall be permitted: yacht clubs and a non-profit sailing school; mooring facilities for a maximum of 520 boats; parking/winter storage area for a maximum of 423 vehicles or 520 boats; clubhouses; dry sailing facilities for non-motorized boats, to be stored on site; launch and haul-out facilities; other services and facilities required for the operation of boats, but shall not include facilities for major mechanical or structural repair or dispensing of fuel.
- (2) The use of any club facilities for commercial purposes shall not be permitted. Permanent year-round residency on moored boats shall not be permitted.

(Cont'd on page 32067)

¹³ Editor's Note: Schedule A is attached to By-Law No. 1993-74 and on file in the office of the City Clerk.



§ 320-38. Land filling.

No person shall, within any W Zone, use any land (including land underwater), erect or use any building or structure or deposit on any land (including land underwater) any stone, gravel, earth, cinders, ashes or other material or rubbish except for a public service which has obtained a fill permit from the Metropolitan Toronto and Region Conservation Authority and authorized by the Borough of Etobicoke. Nothing shall prevent a person depositing on land underwater in a W Zone any stone, gravel, earth or other fill, provided that:

- A. The said person has first filed with the Borough of Etobicoke appropriate surveys, maps and/or drawings showing the proposed works.
- B. The land underwater is owned by the said person or a use permit has been issued by the Province of Ontario.
- C. The proposed use of the lands to be filled has been approved in principle by the borough.
- D. A fill permit has been issued by the Metropolitan Toronto and Region Conservation Authority.

ARTICLE XI**General Regulations for Residential Zones****§ 320-39. Lot coverage.**

Not more than one (1) dwelling may be built on any lot.

§ 320-40. Front yards.

- A. A front yard shall be provided in the front of the main building. Subject to Subsections B, C, D and E, and except as hereafter provided in §§ 320-67E and 320-77A, the minimum distance of a building from the centre line of a street in front thereof shall be seventeen and five-tenths (17.5) metres, and in no case shall be less than seven and five-tenths (7.5) metres from the street line. [Amended 1968-10-07 by By-Law No. 932]

- (1) For any building erected on a corner lot, the minimum set-back from the front lot line shall be not less than the existing set-back of the building on the abutting lot fronting on the same street. [Added 1988-01-25 by By-Law No. 1988-21]
- B. The minimum distance from the front lot line of a building on a key lot shall be the average of the required corresponding distance for the adjoining interior lot and the required distance from the side lot line on the street side of the building on the adjoining reversed corner lot. Where existing buildings on either or both of said adjoining lots are located nearer to the front or side lines than the distances required above, the distances established by such existing buildings shall be used in computing the front yard for a key lot.
- C. [Amended 1966-11-07 by By-Law No. 15,696] Notwithstanding the provisions of Subsections A, B and E, the distance from the front lot line of any building erected between lots with existing buildings on the same street frontage of the same block shall conform to the following regulations:
- (1) Where one (1) or two (2) lots remain between existing buildings, the minimum distance from the front lot line shall be the average of the distances between the front wall and the front lot line of the existing dwellings on either side of said vacant lots, measured from the front lot line to the front wall of the buildings at the closest point.
 - (2) Where more than two (2) lots remain between existing buildings, the minimum distance from the front lot line shall be as required in Subsections A and E, except for lots abutting the existing building where said distance from the front lot line shall be the average between the set-back established by the existing building and the requirement under Subsections A and E.
 - (3) When there is a proposed addition which would project beyond the main front wall of an existing building, then the minimum distance from the front lot line shall be the average of the distance between the main front wall and

the front lot line of the existing dwellings on either side, measured from the front lot line to the main front wall, exclusive of any projection permitted under Subsection D, of such buildings at the closest point. [Added 1978-11-22 by By-Law No. 1978-297]

D. [Amended 1978-11-22 by By-Law No. 1978-297] No front yard required to be provided under this chapter shall be obstructed by any construction other than the following:

- (1) Uncovered steps to grade.
- (2) An open terrace, open and/or roofed porchway or veranda, provided that the same does not encroach more than one and six-tenths (1.6) metres into the required yard. Other than supporting columns having a maximum width and depth of thirty-three (33) centimetres, the only enclosure permitted shall be a wall, guard-rail or balustrade not exceeding one hundred seven (107) centimetres in height. [Amended 1988-01-25 by By-Law No. 1988-21]
- (3) Any chimney-breast may project a maximum of five-tenths (0.5) metre into the required yard.

E. [Amended 1979-07-23 by By-Law No. 1979-198] If a building fronts on one (1) of the following streets, the minimum distance of a building from the centre line of a street shall be the distance set out after the respective street and in no case less than seven and five-tenths (7.5) metres from the street line:

Street	Distance (metres)
Albion Road	23
Berry Road	20.5
Bloor Street West, east of Kipling Avenue	23
Bloor Street West, west of Kipling Avenue	20.5
Brown's Line	26
Burnhamthorpe Road	20.5
Dixon Road	23
Dundas Street West	23

Street	Distance (metres)
Eglinton Avenue West	26
Elmcrest Road	20.5
Evans Avenue	20.5
Highway 427	26
Highway 27	26
Horner Avenue	20.5
Islington Avenue, on the residentially zoned lands north of Eglinton Avenue West only	26
Kipling Avenue, on the residentially zoned lands north of Eglinton Avenue only	26
Martin Grove Road, north of Rathburn Road only	26
Mill Road	23
Norseman Street	20.5
North Queen Street	20.5
Rathburn Road	20.5
Renforth Drive	23
Rexdale Boulevard	23
Royal York Road, north of Edenbridge Drive only	26
Scarlett Road	23
The Queensway	23

§ 320-41. Side yards.

- A. Subject to Subsections B, C, D, E, F and G below and §§ 320-67E and 320-77A, the distance from the main building to each side lot line shall not be less than nine-tenths (0.9) metre, except that where the lot has fifteen and three-tenths (15.3) metres or greater frontage, the said distance shall not be less than one and two-tenths (1.2) metres. [Amended 1960-01-18 by By-Law No. 12,100; 1963-09-03 by By-Law No. 14,104; 1964-03-16 by By-Law No. 14,360; 1968-10-07 by By-Law No. 932; 1970-10-13 by By-Law No. 1799; 1984-06-28 by By-Law No. 1985-164]

- B. Subject to Subsections E and F, in the case of a corner lot the minimum distance from the side lot line on the street side shall be fifty per cent (50%) of the distance from the front lot line for buildings on lots in the rear of such corner lot (excluding key lots), but such side yard shall be not less than three (3) metres. [Amended 1960-01-18 by By-Law No. 12,100; 1963-09-03 by By-Law No. 14,104]
- C. No windows located on the first storey of any building and admitting light to any habitable room shall be constructed in any side wall unless there is an open space having a minimum width of one and two-tenths (1.2) metres between such wall and the side lot line.
- D. No chimney-breast, steps, eaves or other projection from the main side wall of a building shall be less than four-tenths (0.4) metre from the side lot line of the lot on which the building is located.
- E. In the case of corner lots, no side yard required to be provided under this chapter shall be obstructed, but this provision shall not apply to prevent the construction or location of an uncovered terrace, an open and roofed porchway or veranda, which has a maximum projection from the main side wall of one and six-tenths (1.6) metres. Other than supporting columns having a maximum width and depth of thirty-three (33) centimetres, the only enclosure permitted shall be a wall, guard-rail or balustrade not exceeding one hundred seven (107) centimetres in height. [Added 1960-01-18 by By-Law No. 12,100; amended 1988-01-25 by By-Law No. 1988-21]
- F. [Added 1962-09-04 by By-Law No. 13,591; amended 1963-09-03 by By-Law No. 14,104; 1964-01-06 by By-Law No. 14,268; 1970-10-13 by By-Law No. 1799] In the case of corner lots, no garage shall be located closer than six (6) metres to the flankage street, and no portion of any driveway shall be located closer than nine (9) metres to any intersection.
- (1) In the case of corner lots, no vehicular garage door or garage wall containing a vehicular garage door fronting on a street flanking the lot shall be located within six (6) metres of such flanking street.

- (2) No portion of any driveway shall be located within nine (9) metres of the intersection of any two (2) street lines, and when an intersection is formed by an arc, such distance shall be measured from the point of intersection of the street lines projected.
- (3) This provision shall not apply to garages erected on corner lots on which residential dwellings had been constructed before September 4, 1962, nor to corner lots with frontage of fifteen (15) metres or less, that were registered before September 4, 1962.

G. An accessory building or building or a portion thereof which is designed to be used entirely for automobile parking and is to be located underground and below grade may be constructed to within four-tenths (0.4) metre of the side lot line, except where the said lot line abuts a street or a three-tenths-metre reserve that abuts a street, in which case the said building shall not be constructed closer to the street than the otherwise required side yard or seven and five-tenths (7.5) metres, whichever is the lesser. [Added 1970-10-13 by By-Law No. 1799²⁷]

H. [Added 1979-05-28 by By-Law No. 1979-129] On any lot, the side lot of which abuts a three-tenths-metre reserve, the following provisions shall apply:

- (1) An attached garage or carport shall be required to be constructed on the side of the house furthest removed from the reserve at the same time as the dwelling, and no detached garages or carports shall be permitted.
- (2) Minimum side yard on the side of the lot abutting the three-tenths-metre reserve shall be six (6) metres.

§ 320-42. Rear yards. [Amended 1960-01-18 by By-Law No. 12,100; 1966-11-07 by By-Law No. 15,696; 1968-10-07 by By-Law No. 932; 1970-10-13 by By-Law No. 1799]

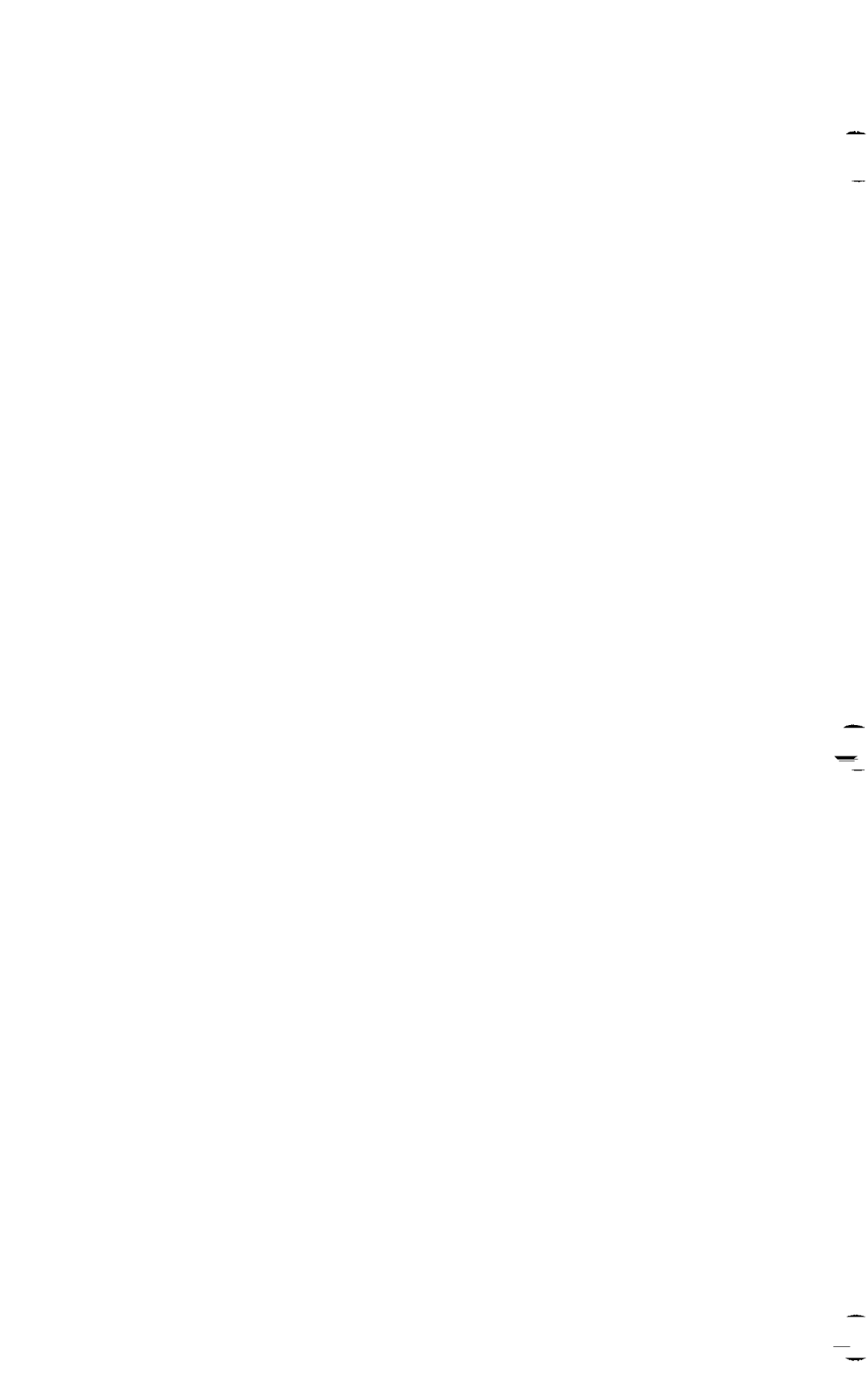
A. Subject to Subsections B, C, D and E and §§ 320-67E and 320-77A, the minimum distance from the main building to

²⁷ Editor's Note: Original Subsection (g), added 1964-03-16 by By-Law No. 14,360, was repealed 1968-12-02 by By-Law No. 984.

the rear lot line shall be twenty-five per cent (25%) of the lot depth but shall not be less than seven and five-tenths (7.5) metres.

- B. Where the front and rear lot lines are not parallel, no portion of the main building shall be located less than seven and five-tenths (7.5) metres from the rear lot line, and the average depth of the rear yard shall not be less than twenty-five per cent (25%) of the average depth of the lot.
- C. Where the lot is triangular in shape, no portion of the main building shall be located less than seven and five-tenths (7.5) metres from the rear angle of the lot, and the rear yard shall have a minimum area of:
- (1) Ninety-three (93) square metres for any lot upon which is erected a one-family detached dwelling.
 - (2) One hundred eleven (111) square metres for any lot upon which is erected a duplex dwelling.
 - (3) Sixty-nine (69) square metres for any lot upon which is erected a semi-detached dwelling.
 - (4) One hundred thirty-nine (139) square metres for any lot upon which is erected a triplex dwelling.
- D. A building or a portion thereof which is designed to be used entirely for automobile parking and is to be located underground and below grade may be constructed to within four-

(Cont'd on page 32073)



tenths (0.4) metre of the rear lot line, except where the said lot line abuts a street or a three-tenths-metre reserve that abuts a street, in which case the said building shall not be constructed closer to the street than the otherwise required rear yard or 7.5 metres, whichever is the lesser.

- E. Nothing herein shall be construed to prohibit the construction or location of an uncovered terrace, veranda, porch, chimney-breast or steps which have a maximum projection from the main rear wall of 1.6 metres. Other than supporting columns having a maximum width and depth of 33 centimetres, the only enclosure permitted shall be a wall, guard-rail or balustrade not exceeding 107 centimetres in height. [Amended 1988-01-25 by By-Law No. 1988-21]

§ 320-42.1. One-family detached dwellings. [Added 1992-01-20 by By-Law No. 1992-21¹]

Notwithstanding the provisions of Articles XII, XIII, XIV, XV and XVII of the Zoning Code, the following additional regulations shall apply to the erection of one-family detached dwellings:

A. Floor space index.

- (1) Maximum floor space index: 0.45.
- (2) Subject to the definition of "gross floor area" contained in § 320-3 of the Zoning Code, the following floor areas shall be included in the calculation of gross floor area:
 - (a) The floor area shall be doubled for any void area.
 - (b) The actual area of voids, up to a maximum of 4% of the gross floor area of the dwelling, may

¹ Editor's Note: This by-law also repealed former § 320-42.1, Gross floor area and height restrictions, added 1990-02-05 by By-Law No. 1990-42.

be excluded from the calculation of gross floor area.

- (c) For the purpose of this section, "void area" shall be defined as follows:

VOID AREA — Any portion of the dwelling, above the basement or cellar level, whose floor to ceiling height is equal to or greater than 4.6 metres.

B. Building height.

- (1) Maximum building height of 9.5 metres to the highest point of the roof.
- (2) Maximum height of flat roofed dwellings, or the soffit of the eaves overhang for peaked roofed dwellings, shall not exceed 6.5 metres.
- (3) For the purpose of this section, "height" and "soffit" shall be defined as follows:

HEIGHT — The perpendicular distance measured from the average of the natural, unaltered grade at the intersection of the side lot lines and the minimum front yard setback to the highest point of the roof, or soffit of the eaves overhang. **[Amended 1999-12-16 by By-Law No. 871-1999]**

SOFFIT — The undersurface of an eaves projection from the main wall of the building.

C. Side yard setbacks. Subject to Subsections B to H, inclusive, of § 320-41 of the Zoning Code, for new one-family detached dwellings and/or additions to existing detached dwellings which exceed one storey in height, the distance from the main building to each side lot line shall conform to the following regulations:

- (1) Minimum for lot frontages of less than 15.3 metres: 0.9 metre per side, provided that the aggregate of both side yards shall equal not less than 2.1 metres.

- (2) Minimum for lot frontages between 15.3 metres and 18 metres: 1.2 metre per side, provided that the aggregate width of both side yards shall equal not less than 20% of the lot frontage.
- (3) Minimum for lot frontages greater than 18 metres: 1.2 metre, provided that the minimum side yard on each side shall be increased by an additional 0.3 metre for every three metres, or portion thereof, increase in the lot frontage beyond 18 metres, but need not exceed three metres per side, and provided further that the aggregate of the side yards shall equal not less than 20% of the lot frontage.

D. Dwelling depth.

- (1) Subject to § 320-42 of the Zoning Code, the maximum depth of one-family detached dwellings which exceed a height of one storey, permitted on lots whose frontage is less than 18 metres, shall be limited to 16.5 metres. One-storey extensions beyond this limit may be permitted up to a maximum depth of 1.8 metres, provided that the width of the extension is no more than 50% of the width of the dwelling and provided further that the extension maintains the minimum setbacks as required under Subsection C above and § 320-41B to H of the Zoning Code, or three metres, whichever is greater.
- (2) For the purpose of this section, "dwelling depth" shall be defined as follows:

DWELLING DEPTH — The distance from the minimum required front yard setback line to the rear wall of the dwelling, including an attached garage.

- E. Garages. A three-car garage shall be permitted only on lots with a frontage greater than 27 metres.
- F. Where the provisions of this section are in conflict with site specific by-laws or Committee of Adjustment

decisions, the provisions of those site specific by-laws or Committee of Adjustment decisions shall prevail.

§ 320-43. Accessory structures and buildings. [Amended 1960-01-18 by By-Law No. 12,100; 1960-11-07 by By-Law No. 12,483; 1962-02-05 by By-Law No. 13,167]

- A. [Amended 1967-08-08 by By-Law No. 393; 1970-02-02 by By-Law No. 1496; 1980-02-18 by By-Law No. 1980-52; 1985-02-11 by By-Law No. 1985-27]** Except as otherwise hereinafter specifically referred to, the distance of all accessory buildings or structures from any rear or side lot line shall be a minimum of 0.4 metre, except where a mutual garage is erected on the common property line between two properties, provided that:
- (1) Any detached accessory structure in the rear yard shall maintain a minimum of 1.0 metre of separation between any part of the accessory structure and any part of the main building.
 - (2) Overhang projections (including eavestroughs) from the main wall(s) of the accessory building shall be not less than 0.15 metre from the side or rear lot line of the lot on which the accessory building is located. **[Added 1988-01-25 by By-Law No. 1988-21]**
- B.** Where no lane exists at the rear of the lot on which a garage is located, the minimum distance of such building from the rear lot line shall be 0.4 metre. Where entrance to the private garage or carport is from a lane, such building shall be a minimum of 0.4 metre from the lot line but shall be no closer than 7.5 metres from the opposite boundary of the lane. **[Amended 1967-08-08 by By-Law No. 393; 1970-10-13 by By-Law No. 1799]**
- C.** A private garage or carport must provide a minimum of 18 square metres of floor space and have a minimum

width of three metres. [Amended 1967-09-05 by By-Law No. 451]

- D. An accessory structure or building shall not exceed 2.5 metres in height, except that for any such building or structure that is constructed with a pitched roof, the maximum height of such building may be 3.7 metres, provided that no part of the walls or supporting posts shall exceed 2.5 metres in height. In addition, no part of any accessory structure or building shall exceed the maximums herein provided. [Added 1967-09-05 by By-Law No. 451]
- E. Lot coverage. [Amended 1967-08-08 by By-Law No. 393]
- (1) Subject to Subsection E(2), the total lot coverage of all accessory buildings and structures shall not exceed 12% of the lot area. No individual accessory building or structure shall exceed 2% coverage of the lot area, except that a private garage, carport or private swimming-pool (including a pool enclosure) may cover up to 10% of the lot area.
 - (2) Not more than 35% of the rear yard shall be covered by accessory buildings or structures. For the purpose of this subsection, a private swimming-pool constructed not more than 0.3 metre above the average natural ground level shall not be included in the calculation of lot coverage.
- F. (Reserved)²
- G. On all new dwellings erected on corner lots, any garage or carport must be attached to the dwelling. Where the said garage is not built with the dwelling, a blank wall shall be provided in the first storey and basement, if any, of the building to permit the future construction of the

² Editor's Note: Former Subsection F, concerning detached garages and carports, was repealed 1985-02-11 by By-Law No. 1985-27.

attached garage. [Amended 1966-11-07 by By-Law No. 15,696]

- H. Subject to § 320-41G, the distance of any accessory building in the side yard from the side lot line shall be not less than the minimum side yard required for the main building. [Amended 1970-10-13 by By-Law No. 1799]

(Cont'd on page 32075)

- I. No accessory structure shall be located closer than three metres to a rear lot line abutting a street line or a three-tenths-metre reserve. **[Amended 1979-05-28 by By-Law No. 1979-129]**
- J. The vertical supports for the roofs of carports shall be masonry or metal, and any wall or storage wall forming a part of a carport shall be of a similar construction and character to that of the main building. **[Amended 1980-02-18 by By-Law No. 1980-52]**
- K. No accessory use shall take place, nor shall accessory structure or building be constructed, in a required front yard, and in any event not closer than 7.5 metres to the front lot line of the property.
- L. Side lot lines abutting a street or reserve.
- (1) No accessory structure or building shall be located closer to the side lot line abutting a three-tenths-metre reserve or a street line than 7.5 metres or the required side yard for the main building, whichever is the lesser. This provision shall not apply to an outdoor private swimming-pool for which the side yard adjacent to a street line or a three-tenths-metre reserve shall be 1.5 metres more than the required side yard for a dwelling on the same lot. **[Amended 1974-09-09 by By-Law No. 3255; 1979-05-28 by By-Law No. 1979-129]**
- (2) Notwithstanding the provisions of Subsections G and L(1) of this section, a dwelling which was erected on a corner lot prior to November 22, 1951, may locate a detached garage at a minimum distance of three metres from the rear lot line and side lot line abutting a street. **[Amended 1979-10-29 by By-Law No. 1979-274]**
- M. When a private swimming-pool is constructed as an accessory use to a residential dwelling, no part of the pool or pool enclosure shall be located closer than 1.5 metres to any rear or side lot line, nor closer than three

metres to any rear lot line which abuts the side yard of another lot or which abuts a street or three-tenths-metre reserve. Notwithstanding the provisions of this section, outdoor swimming-pools on corner lots shall comply with the provisions of Subsection L(1). **[Amended 1970-02-02 by By-Law No. 1496; 1974-09-09 by By-Law No. 3255; 1980-02-18 by By-Law No. 1980-52]**

N. Air-conditioning units. **[Added 1966-09-06 by By-Law No. 15,581; amended 1973-01-08 by By-Law No. 2615; 1979-09-04 by By-Law No. 1979-216; 1980-02-18 by By-Law No. 1980-52]**

- (1) For the purpose of this subsection, "central air-conditioning unit" shall mean any device used for the purpose of cooling, dehumidification, circulating and cleaning of air and which utilizes duct work in its operation rather than directly discharging into the conditioned space.
- (2) No central air-conditioning unit shall be constructed closer than six metres to the front lot line of the property.
- (3) No central air-conditioning unit shall be located closer than 1.5 metres to any side or rear lot line or closer than three metres to any side or rear lot line abutting a three-tenths-metre reserve or a street line.

§ 320-44. Parking requirements. [Amended 1964-03-16 by By-Law No. 14,360; 1977-09-26 by By-Law No. 4227]

No person shall use any residential lot for the parking or storage of any recreational vehicle, motor vehicle or commercial vehicle except as provided for under §§ 320-18B(1), 320-47 and 320-50 and as herein provided:

- A. No parking shall be permitted in any front yard or side yard abutting a street, save and except on a properly

constructed and surfaced driveway, provided the driveway leads to a parking space as required under § 320-18B(1). **[Amended 2006-09-27 by By-Law No. 973-2006⁶]**

- (1) Despite the minimum access driveway width of 6.0 metres required in § 320-18A, for town house dwellings where a driveway leads directly to the dwelling unit, one-family detached dwellings, semi-detached dwellings, and duplex dwellings, a driveway which is located in or which passes through the front yard shall have the following dimensions:
 - (a) A minimum width of 2.6 metres.
 - (b) For lots with a frontage of less than six metres, a maximum width for its entire length of 2.6 metres.
 - (c) For lots with a frontage of six metres to 23 metres inclusive, a maximum width for its entire length of six metres, provided the front yard landscaping and soft landscaping requirements of §§ 320-24.9 and 320-24.10 are met.
 - (d) For lots with a frontage greater than 23 metres, a maximum width of:
 - [1] Nine metres where there are three or more side-by-side parking spaces behind the main front wall of the building; or
 - [2] Six metres where there are less than three side-by-side parking spaces;

⁶ Editor's Note: This by-law was approved as passed by the Ontario Municipal Board 2007-06-29 by Order No. 1820, with exceptions for certain properties. A copy of Order No. 1820 of the Ontario Municipal Board is on file with By-Law No. 973-2006 in the City offices.

provided the front yard landscaping and soft landscaping requirements of §§ 320-24.9 and 320-24.10 are met.

- (2) Despite the minimum access driveway width of 6.0 metres required in § 320-18A, for town house dwellings where a driveway leads directly to the dwelling unit, one-family detached dwellings, semi-detached dwellings, and duplex dwellings, a driveway which is not located in or which does not pass through the front yard shall have the following dimensions:
 - (a) A minimum width of 2.6 metres; and
 - (b) A maximum width for its entire length of 6.0 metres.
 - (3) For all other residential uses, a driveway shall not exceed 6.0 metres in width or 40% of the front yard area, and the remainder of the front yard shall be used for no purpose other than sodding, landscaping, walkways or other permitted structures.
- B. Notwithstanding Subsection A, the owner of any one-family or semi-detached dwelling erected prior to November 10, 1949, for which there is no provision for parking either by an existing attached garage, carport or two-and-four-tenths-metre side drive and where there is not sufficient space for the construction of such facility, may develop one parking space in the front yard, provided that:
- (1) Such space does not exceed 18 square metres in area and three metres in width and provided further that such space is designed having its length at right angles to the street line.
 - (2) The parking space is properly constructed and surfaced and may take the form of two hard-surfaced runways.

- (3) The remainder of the front yard is used for no purpose other than sodding and/or landscaping, footpaths or otherwise permitted structures.
- (4) Such parking space shall be used for the parking of a private automobile only, and no commercial motor vehicle or recreational vehicle parking shall be permitted.

§ 320-45. Non-residential buildings. [Amended 1960-01-18 by By-Law No. 12,100]

- A. Subject to Subsections B and C, any building erected, structurally altered or used for non-residential purposes in a residential zone shall comply with the regulations provided in this section and with the regulations for the one-family detached dwelling in the zone in which said building is located. **[Amended 1966-11-07 by By-Law No. 15,696]**
- B. Recreational, institutional and public buildings, where permitted by this chapter, shall provide a side yard on each side of the main buildings, which side yards shall each be a minimum of one-half ($1/2$) of the height of the building but shall not be less than three metres, provided that the provisions of § 320-41B shall be complied with where applicable. **[Amended 1964-03-16 by By-Law No. 14,358; 1964-07-20 by By-Law No. 14,511; 1966-11-07 by By-Law No. 15,696]**
- C. Parking space shall be provided in accordance with § 320-18.

§ 320-46. Fences. [Added 1960-01-18 by By-Law No. 12,100; amended 1966-11-07 by By-Law No. 15,699; 1972-02-28 by By-Law No. 2280; 1982-12-13 by By-Law No. 1982-254]

- A. No fence shall exceed 1.9 metres in height. Notwithstanding the above, no fence located in a front yard or side yard abutting a street shall exceed 1.0 metre in height. **[Amended 1985-03-25 by By-Law No. 1985-61]**
- B. A lot to the rear of a reverse corner lot may have a fence height not exceeding 1.9 metres along the side lot line abutting the reverse corner lot's rear yard. **[Amended 1985-03-25 by By-Law No. 1985-61]**
- C. When there is a difference in grade level of adjacent lots, the maximum height of a fence shall be measured from the top of the fence to the finished grade level at the fence.

§ 320-47. Parking of commercial motor vehicles. [Added 1960-02-15 by By-Law No. 12,132; amended 1975-11-10 by By-Law No. 3703]

- A. No person shall, in any residential zone, use any lot for the parking or storing of commercial motor vehicles.
- B. Notwithstanding the provisions of Subsection A, the owner or occupant of any dwelling unit in any residential zone may park or store a maximum of one commercial motor vehicle on the same lot upon which his dwelling unit is located, provided that:
 - (1) Such vehicle is not in excess of 1,000 kilograms' capacity.
 - (2) Such vehicle is operated by himself and is for parking or storage only and not in connection with any business or other use prohibited by this chapter in any such residential zone.

- (3) Any such vehicle in excess of five hundred (500) kilograms' capacity must be parked or stored in a garage or carport.
- (4) Any such vehicle up to five hundred (500) kilograms' capacity must be parked or stored in a garage, carport or surfaced parking area as regulated by § 320-18B(1) and (2) or surfaced driveway as provided under § 320-44A. [Amended 1977-09-26 by By-Law No. 4227]
- (5) For the purposes of this section, a "vehicle of five hundred (500) kilograms' capacity" shall mean a commercial motor vehicle licenced with the appropriate provincial authorities for a gross weight not exceeding two thousand two hundred sixty-eight (2,268) kilograms, and a "vehicle of one (1) ton's [one thousand (1,000) kilograms]' capacity" shall mean a commercial motor vehicle licenced with the appropriate provincial authorities for a gross weight not to exceed three thousand one hundred seventy-five (3,175) kilograms. [Added 1977-05-24 by By-Law No. 4115]

§ 320-48. Residential buildings. [Added 1962-07-16 by By-Law No. 13,512]

Any building originally designed and erected for residential purposes in a residential zone shall not be used for any purpose or use other than such residential or business use as may be permitted in such residential zone.

§ 320-49. Outdoor laundry-drying facilities. [Added 1964-03-16 by By-Law No. 14,359]

The erection and use of outdoor laundry-drying facilities shall not be permitted on lots on which multiple dwellings have been erected.

§ 320-50. Parking of storing or recreational vehicles. [Added 1965-05-17 by By-Law No. 14,876; amended 1975-11-10 by By-Law No. 3703]

- A. No person shall, in any residential zone, use any recreational vehicle for residential occupancy nor use any lot for the park-

ing or storage of recreational vehicles except those that are less than nine (9) metres in length (exclusive of hitch or tongue), and then only in compliance with the following regulations:

- (1) Such recreational vehicles are located entirely within a private garage, a carport or a dwelling; or
 - (2) Such recreational vehicles do not exceed two (2) in number parked or stored outside of buildings on any lot and are owned and used by the owner of such lot and:
 - (a) Are not located in a front yard or a side yard abutting a street or, in the case of a corner lot, are not located on any portion of the rear yard closer to the street than the main wall of the main building; and
 - (b) No recreational vehicle exceeding one and nine-tenths (1.9) metres in overall height shall be parked or stored in a required minimum side yard.
- B. Notwithstanding Subsection A(2)(a), occasional parking by the owner or occupant of a lot of one (1) recreational vehicle for seasonal use on a properly constructed and surfaced driveway on such lot shall be permitted as follows:
- (1) Camper trailers, motor homes, truck campers, travel trailers, boats and boat trailers during the period from May 15 to October 15 in each year, inclusive.
 - (2) Snowmobiles, snowmobile trailers and like winter-oriented vehicles during the period from November 30 in one year to April 1 in the next year, inclusive.
- C. For the purpose of Subsections A(2) and B, recreational units such as snowmobiles, boats, camper tops, etc., mounted on a trailer or truck bed shall be considered one (1) recreational vehicle.
- D. Notwithstanding the provisions of Subsection A, transitory parking of recreational vehicles on a properly constructed and surfaced driveway in compliance with the provisions of § 320-44A may be permitted at any time during the year, provided that the incidence of such parking does not exceed a

total of three (3) days in any calendar month. For the purpose of this section, the use of the driveway for parking purposes for any period of time during the day shall be deemed to be an incidence of parking for the entire day. [Amended 1977-09-26 by By-Law No. 4227]

- E. [Amended 1979-10-29 by By-Law No. 1979-274] Notwithstanding the provisions of Subsections A, B, C and D, the owner or occupant of any lot used for apartment house, maisonette or group dwelling purposes may only park or store recreational vehicles in garages, carports or surfaced parking areas, provided that:
- (1) The vehicle does not exceed nine (9) metres in length, exclusive of hitch or tongue.
 - (2) Parking is provided in accordance with the regulation contained in § 320-18B(2) and is in excess of the minimum number of parking spaces required therein.
- F. For the purpose of this section, parking or storage shall not include the use of such recreational vehicles for residential occupancy.

§ 320-51. Relocation of buildings. [Added 1966-03-21 by By-Law No. 15,319]

- A. No lot shall be used for the purpose of locating or erecting thereon a dwelling that has previously been erected and used elsewhere than upon such lot.
- B. The foregoing restriction shall not be deemed to prohibit the locating of a pre-fabricated dwelling constructed exclusively of new materials on any lot where such dwelling has not previously been used as a dwelling elsewhere.

§ 320-52. Retail stores within apartment buildings. [Added 1970-09-14 by By-Law No. 1774]

The following regulations shall apply to retail stores within apartment buildings:

- A. One (1) neighbourhood store containing not more than twenty-eight (28) square metres of floor area, offering only goods for sale by retail, shall be permitted on the ground floor or basement only of an apartment building containing one hundred (100) dwelling units or more. For each additional fifty (50) dwelling units therein, an additional nine and three-tenths (9.3) square metres of floor area shall be permitted within such neighbourhood store, provided that the maximum floor area within such neighbourhood store shall be one hundred three (103) square metres.
- B. One (1) neighbourhood store containing not more than twenty-eight (28) square metres of floor area, offering only goods for sale by retail, shall be permitted on the ground floor or basement only of one (1) apartment building within each group of apartment buildings containing a minimum of one hundred (100) dwelling units located on the same lot. For each additional fifty (50) dwelling units in the combined number of dwelling units within each group of apartment buildings located on the same lot, an additional nine and three-tenths (9.3) square metres of floor area shall be permitted within such neighbourhood store, provided that the maximum floor area within such neighbourhood store shall be one hundred three (103) square metres.
- C. No exterior windows of such neighbourhood store shall be used for the display of goods or advertising.
- D. Entrance to such neighbourhood store shall be only from within an apartment building.
- E. Notwithstanding the definition of "neighbourhood store" in § 320-3, there shall be no outside display of merchandise.

ARTICLE XII

R1 First Density Residential Zone

§ 320-53. Applicability.

Subject to compliance with the provisions of Articles II through V, the following regulations shall apply in an R1 Zone.

§ 320-54. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential: one-family detached dwellings; and group homes, as defined in §§ 320-3B and 320-24.1. [Amended 1986-01-13 by By-Law No. 1986-12]
- B. Business. [Amended 1970-10-13 by By-Law No. 1799]
 - (1) The office of not more than one (1) physician located in a one-family detached dwelling which is used as the private residence of the physician, such office to be used for consultation and emergency or minor treatment only and not to be in the nature of a clinic or a private hospital.
 - (2) The office of not more than one (1) dentist located in a one-family detached dwelling which is used as the private residence of the dentist, such office to contain not more than one (1) dental chair and not to be in the nature of a clinic.
 - (3) Private home day care. [Added 1975-06-23 by By-Law No. 3605]
 - (4) Day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-208]
- C. Institutional: schools (public, private, separate); churches; church halls; Sunday schools; libraries; and day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Amended 1985-09-09 by By-Law No. 1985-208]
- D. Public: municipal, provincial or federal government buildings; fire halls; community centre; parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799²⁸]

²⁸ Editor's Note: By-Law No. 1799 also repealed original Subsection 9.2.1.3, which listed recreational uses for this district.

- E. Accessory uses and structures: private garages; carports; television antennae; private swimming-pools and structures in conjunction with such swimming-pools; lawn and garden furnishings; one (1) doghouse not exceeding one (1) square metre of floor area; tool-sheds; patios; playhouses; central air-conditioning units subject to § 320-43N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. [Amended 1960-01-18 by By-Law No. 12,100; 1962-02-05 by By-Law No. 13,167; 1966-09-06 by By-Law No. 15,581; 1967-08-08 by By-Law No. 393]
- F. Parking.²⁹ Parking space shall be provided in accordance with § 320-18.

§ 320-55. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the area regulations provided in Article XI and the following regulations:

- A. Lot frontage. No one-family detached dwelling shall be hereafter built upon any lot except in accordance with the following regulations for minimum lot frontage:
- (1) Minimum, where piped water and sanitary sewers exist or will be made available by the township: fifteen (15) metres.
 - (2) Minimum, where piped water only exists or will be made available by the township: fifteen (15) metres.
 - (3) Minimum, where piped water and sanitary sewers do not exist or will not be made available by the township: thirty (30) metres.
- B. Lot area. No one-family detached dwelling shall be hereafter built upon any lot except in accordance with the following regulations for minimum lot area:

²⁹ Editor's Note: Original Subsection 9.2.1.7, Signs, which immediately preceded this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

- (1) Minimum, where piped water and sanitary sewers exist or will be made available by the township: five hundred fifty-seven (557) square metres.
 - (2) Minimum, where piped water only exists or will be made available by the township: six hundred ninety-six (696) square metres.
 - (3) Minimum, where piped water and sanitary sewers do not exist or will not be made available by the township: one thousand one hundred fourteen (1,114) square metres.
- C. Lot coverage, maximum, main building: thirty-three per cent (33%).
- D. Ground floor area.
- (1) Minimums.
 - (a) Minimum, one-storey dwellings: one hundred sixteen (116) square metres.
 - (b) Minimum, one-and-one-half-storey dwellings: seventy-eight (78) square metres.
 - (c) Minimum, two-or-more-storey dwellings: sixty-five (65) square metres.
 - (2) Where no basement is provided, additional ground floor area shall be added to the extent of eleven (11) square metres.
 - (3) Where living space is provided over an attached garage, the required ground floor area may be reduced to the extent of fifty per cent (50%) of such added floor area having a full ceiling height.

§ 320-56. Maximum height. [Amended 1979-04-02 by By-Law No. 1979-68]

Subject to § 320-9B, no building or structure shall be hereafter erected, structurally altered, enlarged or maintained to exceed eleven (11) metres in height.

ARTICLE XIII
R2 Second Density Residential Zone

§ 320-57. Applicability.

Subject to compliance with the regulations under Articles II through V, the following regulations shall apply in an R2 Zone.

§ 320-58. Permitted uses.

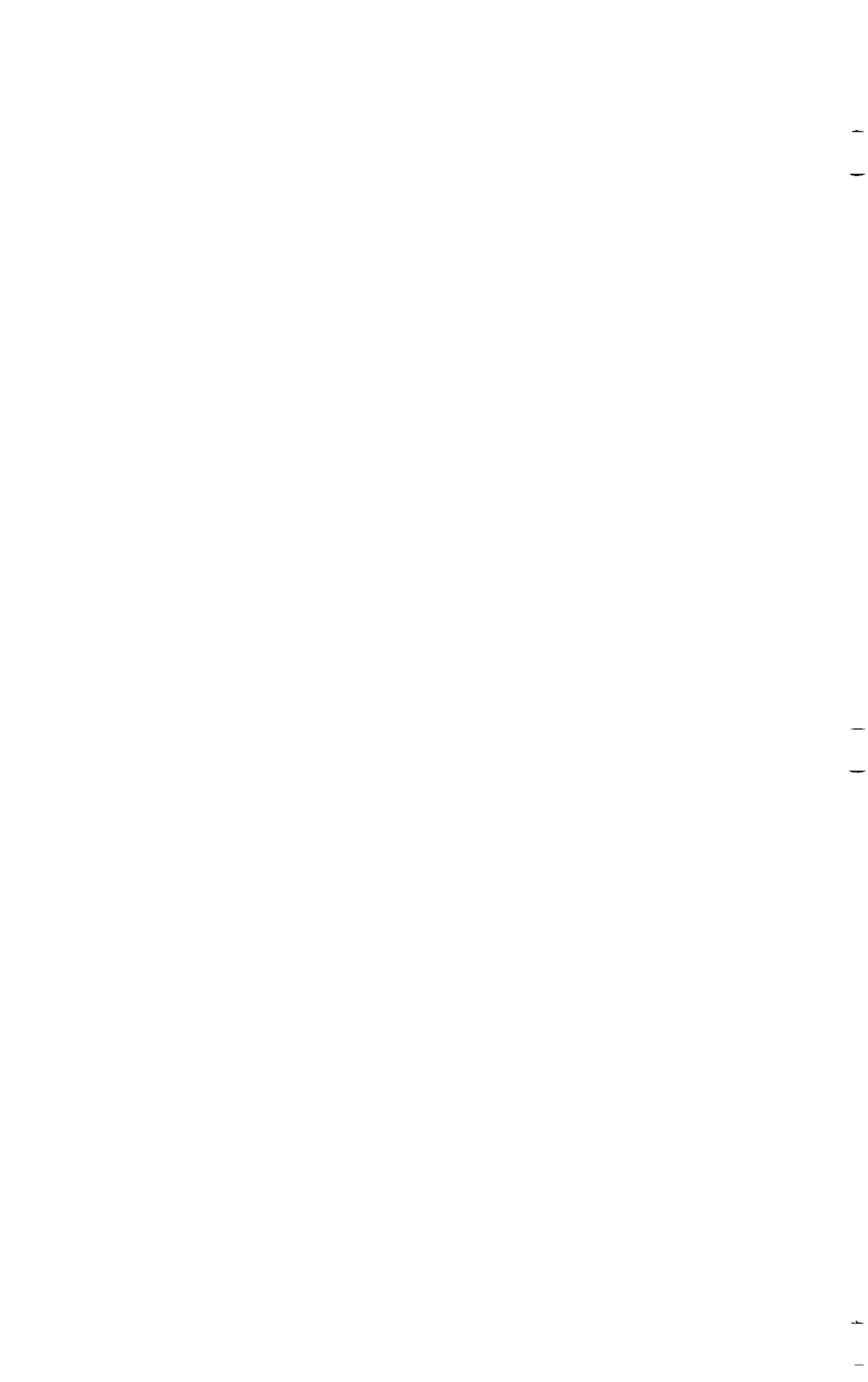
No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential: one-family detached dwellings; and group homes, as defined in §§ 320-3B and 320-24.1. [Amended 1964-11-16 by By-Law No. 14,699; 1966-04-18 by By-Law No. 15,381; 1977-07-18 by By-Law No. 4165; 1986-01-13 by By-Law No. 1986-12]
- B. Business. [Amended 1970-10-13 by By-Law No. 1799]
- (1) The office of not more than one (1) physician located in a one-family detached dwelling which is used as the private residence of the physician, such office to be used for consultation and emergency or minor treatment only and not to be in the nature of a clinic or a private hospital.
 - (2) The office of not more than one (1) dentist located in a one-family detached dwelling which is used as the private residence of the dentist, such office to contain not more than one (1) dental chair and not to be in the nature of a clinic.
 - (3) Private home day care. [Added 1975-06-23 by By-Law No. 3605]
 - (4) Day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-208]

- C. Institutional: schools (public, separate, private); churches; church halls; Sunday schools; libraries; and day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Amended 1985-09-09 by By-Law No. 1985-208]
- D. Public: municipal, provincial or federal government buildings; fire halls; community centre; and parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799⁸⁰]
- E. Accessory uses and structures: private garages; carports; television antennae; private swimming-pools and structures in conjunction with such swimming-pools; lawn and garden furnishings; one (1) doghouse not exceeding one (1) square metre

(Cont'd on page 32087)

⁸⁰ Editor's Note: By-Law No. 1799 also repealed original Subsection 9.3.1.3, which listed recreational uses for this district.



of floor area; tool-sheds; patios; playhouses; central air-conditioning units subject to § 320-43N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. [Amended 1960-01-18 by By-Law No. 12,100; 1962-02-05 by By-Law No. 13,167; 1966-09-06 by By-Law No. 15,581; 1967-08-08 by By-Law No. 393]

F. Parking.³¹ Parking space shall be provided in accordance with § 320-18.

- (1) The parking of private automobiles shall be permitted on the lands known as "No. 25 Burnhamthorpe Road" and "Nos. 4890 to 4914 Dundas Street West" by persons attending the church on these lands or doing business with merchants carrying on business on lands described herein, provided that a hedge of sufficient height is established and maintained to screen automobiles from view on Burnhamthorpe Crescent and the only exit from the said lands is onto Burnhamthorpe Road and one (1) entrance is permitted from Burnhamthorpe Crescent. [Amended 1979-07-23 by By-Law No. 1979-198]
- (2) Notwithstanding anything hereinbefore contained, the lands hereinafter described may be used for the parking of motor vehicles in connection with the warehousing and commercial zone lying immediately to the north thereof but may not be used for any other purpose; and further provided that if such lands are used for the parking of motor vehicles on any particular property, the owners of that property shall, prior to such use of the lands, plant shrubbery or evergreen trees along the rear of their property and shall demolish any nonconforming use buildings which may be erected upon the hereinafter described lands; and provided further that proper entrances for ingress and egress to the parking area must be provided either by the individual owner or collective agreement to Dundas Street and shall not be permitted from any other street; and provided further that no

³¹ Editor's Note: Original Subsection 9.3.1.7, Signs, which immediately preceded this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

building or structure may be erected on the hereinafter referred to lands.

- (a) Those portions of the lands hereinafter described owned by any particular person and wishing to use the lands in conjunction with lands in the warehousing and commercial zone immediately to the north thereof may not include the lands hereinafter described in connection with complying with the minimum rear yard requirements for any building that they may wish to erect on the warehousing and commercial zone lying to the north thereof. However, the lands hereinafter described, if owned by an individual owner, may be included with the lands in the warehousing and commercial zone lying to the north thereof in calculating the permitted lot coverage of buildings as provided in the warehousing and commercial regulations of this chapter.
- (b) The lands hereinbefore referred to may be more particularly described as being that parcel of land commencing at a point in the northerly limit of Lot 243, Registered Plan No. 116, where it is intersected by a line drawn parallel to the southerly limit of Dundas Street as widened and distant one hundred fifty (150) feet measured southerly at right angles thereto; thence north-easterly along the last-mentioned parallel line to a point where the said parallel line intersects the westerly limit of Registered Plan No. 1016; thence southerly along the westerly limit of Registered Plan No. 116 to a point at the north-west angle of Lot 5 on the said Plan No. 1016.
- (3) Notwithstanding the provisions of §§ 320-18 and 320-43C, there may be erected and maintained on Lot 15, Plan 4679, a carport with a minimum of fourteen (14) square metres of floor space. [Added 1967-04-10 by By-Law No. 226]

§ 320-59. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the area regulations provided in Article XI and the following regulations:

- A. Lot frontage. No one-family detached dwellings shall be hereafter built upon a lot except in accordance with the following regulations for minimum lot frontage:
- (1) Minimum, where piped water and sanitary sewers exist or will be made available by the township: thirteen and five-tenths (13.5) metres.
 - (2) Minimum, where piped water only exists or will be made available by the township: fifteen (15) metres.
 - (3) Minimum, where water and sanitary sewers do not exist or will not be made available by the township: thirty (30) metres. This subsection shall not apply to the east twelve (12) metres of Lot No. 63, Plan No. 2353.
 - (4) Notwithstanding the general requirements of this provision, the minimum frontage required on Lot Nos. 14 to 128, inclusive, and 130 to 139, inclusive, fronting on Botfield Avenue, according to Registered Plan 1893, shall be fourteen (14) metres.
 - (5) Notwithstanding the general requirements of this provision, the minimum frontage required on part of Lot 18, First Concession, Northern Division, in the said township, having a frontage of seventy-three (73) metres on Shaver Avenue owned by W.D. Aveline Limited, shall be fourteen and five-tenths (14.5) metres.
- B. Lot area. No one-family detached dwelling shall be hereafter built upon a lot except in accordance with the following regulations for minimum lot area:
- (1) Minimum, where piped water and sanitary sewers exist or will be made available by the township: five hundred ten (510) square metres.

- (2) Minimum, where piped water only exists or will be made available by the township: six hundred ninety-six (696) square metres.
- (3) Minimum, where piped water and sanitary sewers do not exist or will not be made available by the township: one thousand one hundred fourteen (1,114) square metres. This subsection shall not apply to the east twelve (12) metres of Lot No. 63, Plan 2353.
- (4) Notwithstanding the general requirements of this provision, houses may be erected on Lots 113 to 118, inclusive, fronting on Acorn Avenue, according to Registered Plan 2384, having a minimum lot area of five hundred nineteen (519) square metres.

C. Lot coverage, maximum, main building: thirty-three per cent (33%).

D. Ground floor area.

- (1) Subject to Subsection D(2) below, the following regulations for minimum ground floor area shall apply:
 - (a) Minimum, one-storey dwellings: ninety-seven (97) square metres.
 - (b) Minimum, one-and-one-half-storey dwellings: sixty-nine (69) square metres.
 - (c) Minimum, two-or-more-storey dwellings: sixty (60) square metres.
- (2) [Amended 1979-07-23 by By-Law No. 1979-198] The regulations provided in Subsection A shall not apply in the following R2 Zones:
 - (a) Those which are situated in the triangular area bounded by Bloor Street on the north, Dundas Street on the south and by a line one (1) lot depth west of Wilmar Avenue on the west.

(b) Those which are situated in Lots 27, 28, 29 and the south half of Lot 30, all in Concession A fronting the Humber. The following regulations for minimum ground floor area shall apply in these R2 Zones:

[1] Minimum, one-storey dwelling: seventy-four (74) square metres.

[2] Minimum, one-and-one-half-storey dwelling: sixty-one (61) square metres.

[3] Minimum, two-storey dwelling: fifty-six (56) square metres.

(3) Where no basement is provided, additional ground floor area shall be added to the extent of eleven (11) square metres.

(4) Where living space is provided over an attached garage, the required ground floor area may be reduced to the extent of fifty per cent (50%) of such added floor area having a full ceiling height.

§ 320-60. Maximum height. [Amended 1979-04-02 by By-Law No. 1979-68]

Subject to § 320-9B, no building or structure shall be hereafter erected, structurally altered, enlarged or maintained to exceed eleven (11) metres in height.

ARTICLE XIV

R3 Third Density Residential Zone

§ 320-61. Applicability.

Subject to compliance with the provisions of Articles II through V, the following regulations shall apply to an R3 Zone.

§ 320-62. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential: one-family detached dwellings; semi-detached dwellings; duplex dwellings; triplex dwellings; and group homes, as defined in §§ 320-3B and 320-24.1. [Amended 1970-03-31 by By-Law No. 1573; 1986-01-13 by By-Law No. 1986-12]
- B. Business. [Amended 1970-10-13 by By-law No. 1799]
- (1) The office of not more than one (1) physician located in a one-family detached dwelling which is used as the private residence of the physician, such office to be used for consultation and emergency or minor treatment only and not to be in the nature of a clinic or a private hospital.
 - (2) The office of not more than one (1) dentist located in a one-family detached dwelling which is used as the private residence of the dentist, such office to contain not more than one (1) dental chair and not to be in the nature of a clinic.
 - (3) Private home day care. [Added 1975-06-23 by By-Law No. 3605]
 - (4) Day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-208]
- C. Institutional: schools (public, private, separate); churches; church halls; Sunday schools; libraries; and day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Amended 1985-09-09 by By-Law No. 1985-208]
- D. Public: municipal, provincial or federal government buildings; fire halls; community centre; and parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799³²]

³² Editor's Note: By-Law No. 1799 also repealed original Subsection 9.4.1.3, which listed recreational uses for this district.

- E. Accessory uses and structures: private garages; carports; neighbourhood garages; television antennae; private swimming-pools and structures in conjunction with such swimming-pools; lawn and garden furnishings; one (1) doghouse not exceeding one (1) square metre of floor area; tool-sheds; patios; playhouses; central air-conditioning units subject to § 320-

(Cont'd on page 32093)



43N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. [Amended 1960-01-18 by By-Law No. 12,100; 1962-02-05 by By-Law No. 13,167; 1966-09-06 by By-Law No. 14,581; 1967-08-08 by By-Law No. 393]

F. Parking.³³ Parking space shall be provided in accordance with § 320-18.

§ 320-63. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the area regulations provided in Article XI and the following regulations:

A. One-family detached dwellings.

- (1) Lot frontage. No one-family detached dwelling shall be hereafter built upon a lot except in accordance with the following regulations for minimum lot frontage:
 - (a) Minimum, where piped water and sanitary sewers exist or will be made available by the township: twelve (12) metres.
 - (b) Minimum, where piped water only exists or will be made available by the township: fifteen (15) metres.
 - (c) Minimum, where piped water and sanitary sewers do not exist or will not be made available by the township: twenty-seven (27) metres.
- (2) Lot area. No one-family detached dwelling shall be hereafter built upon a lot except in accordance with the following regulations for minimum lot area:
 - (a) Minimum, where piped water and sanitary sewers exist or will be made available by the township: four hundred sixty-five (465) square metres.

³³ Editor's Note: Original Subsection 9.4.1.7, Signs, which immediately preceded this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

- (b) Minimum, where piped water only exists or will be made available by the township: six hundred ninety-six (696) square metres.
- (c) Minimum, where piped water and sanitary sewers do not exist or will not be made available by the township: one thousand one hundred fourteen (1,114) square metres.
- (3) Lot coverage, maximum, main building: thirty-three per cent (33%).
- (4) Ground floor area.
 - (a) Minimum, one-storey dwellings: sixty-five (65) square metres.
 - (b) Minimum, one-and-one-half-storey dwellings: fifty-five (55) square metres.
 - (c) Minimum, two-or-more-storey dwellings: forty-six (46) square metres.
 - (d) Where living space is provided over an attached garage, the required ground floor area may be reduced to the extent of fifty per cent (50%) of such added floor area having a full ceiling height.
 - (e) Where no basement is provided, additional ground floor area shall be added to the extent of eleven (11) square metres.
- B. Semi-detached dwellings. Semi-detached dwellings shall be allowed only where piped water and sanitary sewers exist or will be made available by the township and shall conform to the following regulations:
 - (1) Lot frontage: minimum nine (9) metres.
 - (2) Lot area: minimum three hundred thirty-four (334) square metres.
 - (3) Lot coverage, maximum, main building: thirty-three per cent (33%).
 - (4) Ground floor area: minimum fifty-five (55) square metres.

- (5) Dwelling unit area: minimum sixty-five (65) square metres.
 - (6) Where no basement is provided, additional ground floor area shall be added to the extent of eleven (11) square metres.
 - (7) Notwithstanding the provisions hereof, in the case of a pair of semi-detached dwellings, one (1) of which is erected or is to be erected on a corner lot, the minimum lot frontage of the lot on the corner shall be twelve and eight-tenths (12.8) metres, and attached garages or carports must be erected in compliance with the other regulations in this chapter at the same time as the dwellings are erected. [Added 1966-11-07 by By-Law No. 15,696]
- C. Duplex dwelling. Duplex dwellings shall be allowed only where piped water and sanitary sewers exist or will be made available by the township and shall conform to the following regulations:
- (1) Lot frontage: minimum fifteen (15) metres.
 - (2) Lot area: minimum five hundred fifty-seven (557) square metres.
 - (3) Lot coverage, maximum, main building: thirty-five per cent (35%).
 - (4) Dwelling unit area: minimum sixty-five (65) square metres.
- D. [Added 1970-03-31 by By-Law No. 1573] Triplex dwellings. Triplex dwellings shall be allowed only where piped water and sanitary sewers exist or will be made available by the borough and shall conform to the following regulations:
- (1) Lot frontage: minimum sixteen and five-tenths (16.5) metres.
 - (2) Lot area: minimum six hundred thirteen (613) square metres.
 - (3) Lot coverage, maximum, main building: thirty-five per cent (35%).

- (4) Dwelling unit area: minimum sixty-five (65) square metres.

E. Notwithstanding the provisions of this chapter to the contrary:

- (1) Cardwell Limited may extend the front or northerly wall of its building presently erected on the easterly half of Lot 418 and Lots 419 and 420 seven (7) metres more or less to the east and seven and five-tenths (7.5) metres more or less to the west, and extend northerly the east and west walls of the said present building five and seven-tenths (5.7) metres more or less.
- (2) The present nonconforming use of the east half of Lot 418 and Lots 419 and 420 may be extended to Lot 434 and the easterly one-half ($\frac{1}{2}$) of Lot 435, all according to Plan M-110 Etobicoke.
- (3) The buildings erected on the east half of Lot 418 and Lots 419 and 420 may be extended to Lot 434 and the easterly half of Lot 435 according to Plan M-110 Etobicoke, and such intended use may continue so long as the said lands are used for the purpose for which the east half of Lot 418 and Lots 419 and 420, Plan M-110 Etobicoke, were used on November 10, 1949, being the date upon which the Ontario Municipal Board approved of Township of Etobicoke Restricted Area Zoning By-Law No. 7673.
- (4) The buildings presently erected on the east half of Lot 418 and Lots 419 and 420, Plan M-110 Etobicoke, may be extended so that the side wall set-back of the easterly wall of the said building shall be three (3) metres from the easterly lot line of Lot 434 and so that the side wall set-back of the westerly wall of the said building shall be three and six-tenths (3.6) metres from the westerly limit of that portion of Lot 435 owned by Cardwell Limited and so that the set-back in respect of the southerly wall of the said building shall be six (6) metres from the northerly limit of Manitoba Street.

§ 320-64. Maximum height. [Amended 1979-04-02 by By-Law No. 1979-68]

Subject to § 320-9B, no building or structure shall be hereafter erected, structurally altered, enlarged or maintained to exceed eleven (11) metres in height.

ARTICLE XV

R4 Fourth Density Residential Zone

§ 320-65. Applicability.

Subject to compliance with the regulations under Articles II through V, the following regulations shall apply in the Fourth Density Residential Zone R4.

§ 320-66. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential: one-family detached dwellings; semi-detached dwellings; duplex dwellings; lodging-houses; apartment houses; and group homes, as defined in §§ 320-3B and 320-24.1. [Amended 1979-07-23 by By-Law No. 1979-177; 1979-10-29 by By-Law No. 1979-274; 1981-10-05 by By-Law No. 1981-297; 1986-01-13 by By-Law No. 1986-12]
- B. Business. [Amended 1970-09-14 by By-Law No. 1774; 1970-10-13 by By-Law No. 1799]
 - (1) The office of not more than one (1) physician located in a one-family detached dwelling which is used as the private residence of the physician, such office to be used for consulting and emergency or minor treatment only and not to be in the nature of a clinic or a private hospital.³⁴
 - (2) The office of not more than one (1) dentist located in a one-family detached dwelling which is used as the pri-

³⁴ Editor's Note: This subsection originally began with and contained the words "Subject to Section 9.5.1.9 Clause (a)...." Since original Section 9.5.1.9(a) was repealed 1981-04-06 by By-Law No. 1981-92, these words were deleted during codification.

vate residence of the dentist, such office to contain not more than one (1) dental chair and not to be in the nature of a clinic.⁸⁴

- (3) Private home day care. [Added 1975-06-23 by By-Law No. 3605]
 - (4) Neighbourhood stores in apartment buildings offering only goods for sale by retail in accordance with the provisions of § 320-52. [Added 1978-05-08 by By-Law No. 1978-104]
 - (5) Day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-208]
- C. Institutional: schools (public, separate, private); colleges; churches; church halls; Sunday schools; libraries; and day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Amended 1970-10-13 by By-Law No. 1799; 1985-09-09 by By-Law No. 1985-208]
- D. Public: municipal, provincial or federal government buildings; fire halls; community centre; and parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799⁸⁵]
- E. Accessory uses and buildings: private garages; carports; neighbourhood garages; television antennae; private swimming-pools and structures in conjunction with such swimming-pools; and lawn and garden furnishings. [Amended 1960-01-18 by By-Law No. 12,100; 1962-02-05 by By-Law No. 13,167; 1966-09-06 by By-Law No. 15,581; 1967-08-08 by By-Law No. 393]
- F. Parking. Automobile parking space shall be provided in accordance with § 320-18. [Amended 1985-02-11 by By-Law No. 1985-27]

⁸⁴ Editor's Note: By-Law No. 1799 also repealed original Subsection 9.5.1.3, which listed recreational uses for this district.

G. Hotels shall be allowed in the following locations only: south of Lakeshore Boulevard, west of the township boundary on the Humber River, north of the lakeshore and east of the intersection of Park Lawn Road with Lakeshore Boulevard, southerly frontage. Land and buildings for the purpose of hotels shall be used and buildings used and erected in accordance with supplementary regulations in § 320-20.³⁶ [Amended 1985-02-11 by By-Law No 1985-27]

§ 320-67. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained except in accordance with the area regulations provided in Article XI and the following regulations:

(Cont'd on page 32099)

³⁶ Editor's Note: Original Subsection 9.5.1.8, Signs, which followed this subsection, was repealed 1965-06-07 by By-Law No. 14,897. Original Section 9.5.1.9(a), which permitted a professional office building on the north side of Bloor Street, was repealed 1981-04-06 by By-Law No. 1981-92, and the property was rezoned CL. (See also Ch. 323, Zoning Maps.) Original Section 9.5.1.9(b), which permitted motels, motor courts and auto courts, was amended 1967-02-20 by By-Law No. 133. By-Law No. 133 was repealed 1974-07-22 by By-Law No. 3209. Properties designated as R4 west of the Humber River and south of Lakeshore Boulevard are under review. See By-Law No. 3208, adopted 1974-07-22, on file in the office of the Borough Clerk.



A. One-family detached dwellings.

- (1) Lot frontage. No one-family detached dwelling shall be hereafter built upon any lot except in accordance with the following regulations for minimum lot frontage:
 - (a) Minimum, where piped water and sanitary sewers exist or will be made available by the township: twelve (12) metres.
 - (b) Minimum, where piped water only exists or will be made available by the township: fifteen (15) metres.
 - (c) Minimum, where piped water and sanitary sewers do not exist or will not be made available by the township: twenty-four (24) metres.
- (2) Lot area: No one-family detached dwelling shall be hereafter built upon any lot except in accordance with the following regulations for minimum lot area:
 - (a) Minimum, where piped water and sanitary sewers exist or will be made available by the township: four hundred sixty-five (465) square metres.
 - (b) Minimum, where piped water only exists or will be made available by the township: six hundred ninety-six (696) square metres.
 - (c) Minimum, where piped water and sanitary sewers do not exist or will not be made available by the township: one thousand one hundred fourteen (1,114) square metres.
- (3) Lot coverage, maximum, main building: thirty-three per cent (33%).
- (4) Ground floor area.
 - (a) Minimum, one-storey dwellings: sixty-five (65) square metres.
 - (b) Minimum, one-and-one-half-storey dwellings: fifty-five (55) square metres.
 - (c) Minimum, two storey dwellings: forty-six (46) square metres.

- (d) Where no basement is provided, additional ground floor area shall be added to the extent of eleven (11) square metres.
- (e) Where living space is provided over an attached garage, the required ground floor area may be reduced to the extent of fifty per cent (50%) of such added floor area having a full ceiling height.

B. Semi-detached dwellings. Semi-detached dwellings shall be allowed only where piped water and sanitary sewers exist or will be made available by the township and shall conform to the following regulations:

- (1) Lot frontage: minimum nine (9) metres.
- (2) Lot area: minimum three hundred thirty-four (334) square metres.
- (3) Lot coverage, maximum, main building: thirty-three per cent (33%).
- (4) Ground floor area: minimum fifty-five (55) square metres.
- (5) Dwelling unit area: minimum sixty-five (65) square metres.
- (6) Where no basement is provided, additional ground floor area shall be added to the extent of eleven (11) square metres.
- (7) Notwithstanding the provision hereof, in the case of a pair of semi-detached dwellings, one (1) of which is erected or is to be erected on a corner lot, the minimum lot frontage of the lot on the corner shall be twelve and eight-tenths (12.8) metres, and attached garages or carports must be erected in compliance with the other regulations in this chapter at the same time as the dwellings are erected. **[Added 1966-11-07 by By-Law No. 15,696]**

C. Duplex dwellings. Duplex dwellings shall be allowed only where piped water and sanitary sewers exist or will be made available by the township and shall conform to the following regulations:

- (1) Lot frontage: minimum fifteen (15) metres.
- (2) Lot area: minimum five hundred fifty-seven (557) square metres.
- (3) Lot coverage, maximum, main building: thirty-five per cent (35%).
- (4) Dwelling unit area: minimum sixty-five (65) square metres.
- (5) Where no basement is provided, additional ground floor area shall be added to the extent of eleven (11) square metres.

D. Parking space shall be provided in accordance with § 320-18.

E. Apartment houses.

- (1) Apartment houses shall be allowed only where piped water and sanitary sewers exist or will be made available by the township and shall conform to the following regulations:
 - (a) Lot frontage: minimum twenty-four (24) metres.
 - (b) Lot area, minimum (per dwelling unit): one hundred sixteen (116) square metres.
 - (c) Lot coverage, maximum, main building: forty per cent (40%).
 - (d) Distance from front lot line: minimum seven and five-tenths (7.5) metres.
 - (e) Distance from side lot line: minimum one-half ($\frac{1}{2}$) of the height of the building.
 - (f) Distance from rear lot line: minimum twenty per cent (20%) of the depth of the lot but not less than six (6) metres.
- (2) Notwithstanding Subsection E(1) above, apartment houses not exceeding five (5) dwelling units shall be allowed only where piped water and sanitary sewers exist and shall conform with the following regulations:

- (a) Lot frontage: minimum eighteen (18) metres.
- (b) Lot area: minimum six hundred sixty-eight (668) square metres or one hundred thirty-nine (139) square metres per unit, whichever shall be the greater.
- (c) Lot coverage, maximum, main building: forty per cent (40%).
- (d) Side yards: minimum three (3) metres.⁹⁷

§ 320-68. Maximum height. [Amended 1979-10-29 by By-Law No. 1979-274]

Subject to § 320-9B, no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the following height regulations:

- A. One-family detached, semi-detached and duplex dwellings: maximum eleven (11) metres.
- B. Apartment houses: maximum fourteen (14) metres.
- C. Non-residential buildings: maximum eleven (11) metres.

ARTICLE XVI

**Group Area R4G Fourth Density Residential Zone
[Added 1962-08-20 by By-Law No. 13,569]**

§ 320-69. Applicability.

Subject to the compliance with the regulations under Articles II through V, except as herein otherwise expressly provided, the following regulations shall apply in the Fourth Density Residential Zone - Group Area R4G.

§ 320-70. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or

⁹⁷ Editor's Note: Original Subsections 9.5.2.6, Garden Apartment (amended 1966-11-07 by By-Law No. 15,696), and 9.5.2.7, Courts, which immediately followed this subsection, were repealed 1979-10-29 by By-Law No. 1979-274.

maintained, except for the following uses, to which the provisions of §§ 320-16, 320-39, 320-40, 320-41, 320-42, 320-43 and 320-44 shall not apply:

- A. Residential: group dwellings.
- B. Business: private home day care. [Added 1975-06-23 by By-Law No. 3605]
- C. Institutional: nil.
- D. Public: municipal, provincial or federal government buildings; community centre; and parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799³⁸]
- E. Accessory uses: Underground parking garages; television antennae; central air-conditioning units subject to the provisions of § 320-43N; and swimming-pools and structures in conjunction with such swimming-pools. [Amended 1966-09-06 by By-Law No. 15,581; 1967-08-08 by By-Law No. 393; 1970-10-13 by By-Law No. 1799]
- F. Parking:³⁹ Notwithstanding the provisions of § 320-18, one and sixty-hundredths (1.60) automobile parking spaces per dwelling unit shall be provided, of which not less than twenty-hundredths (0.20) spaces per dwelling unit shall be reserved for surface visitor parking. Parking spaces equal to the total number of dwelling units shall also be provided in garages attached to or included within the structure of individual dwelling units. All outdoor parking areas and driveways shall be curbed with permanent continuous fifteen-hundredths-metre curbing and paved with hot mix asphalt or concrete. [Amended 1972-06-05 by By-Law No. 2398;⁴⁰ 1984-06-29 by By-Law No. 1984-140]

³⁸ Editor's Note: By-Law No. 1799 also repealed original Subsection 9.5A.1.3, which listed recreational uses for this district.

³⁹ Editor's Note: Original Subsection 9.5A.1.8, Signs, which immediately followed this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

⁴⁰ Editor's Note: By-Law No. 2398 also provided as follows:

"The provisions of this by-law shall not affect the lands zoned Fourth Density Residential Zone - Group Area (R-4-G) set out in Schedule "A" to By-Laws Numbered 373, 374, 429, 1656, 1750 and 1852, provided that the lands designated in the said Schedules "A" shall be subject to the provisions of the Fourth Density Residential Zone - Group Area (R-4-G) in effect immediately prior to the date of the enactment of this by-law, but subject to the provisions of the specific by-laws affecting the individual areas and all other applicable provisions of the said By-Law Number 11,737."

§ 320-71. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the following regulations:

A. Set-backs.

- (1) Street line. No building shall be erected closer than thirteen and five-tenths (13.5) metres to any street line. [Amended 1962-09-24 by By-Law No. 13,631; 1972-06-05 by By-Law No. 2398]
- (2) Property lines. No building shall be erected closer to any side or rear property line than a distance equal to one-half ($\frac{1}{2}$) the height of the building or in any case closer than seven and five-tenths (7.5) metres.
- (3) Parking areas and driveways. No parking area or driveway shall be located closer than one and five-tenths (1.5) metres to any street line or four-tenths (0.4) metre to any side or rear property line.

B. Distance between buildings.

- (1) Between two (2) exterior walls which contain no windows to habitable rooms: minimum three (3) metres.
- (2) Between two (2) exterior walls, one (1) of which contains windows to habitable rooms: minimum seven and five-tenths (7.5) metres.
- (3) Between two (2) exterior walls, both of which contain windows to habitable rooms: minimum fifteen (15) metres.
- (4) Notwithstanding Subsection B(1), (2) and (3) hereof, the minimum distance between two (2) exterior walls shall be increased by the width of any driveway or sidewalk running between such walls.
- (5) Notwithstanding the other provisions hereof, the minimum distance between buildings shall be one-half ($\frac{1}{2}$) of their combined heights.

- C. Density. The maximum density permitted in any R4G Zone shall not exceed thirty-seven (37) dwelling units per hectare. [Amended 1972-06-05 by By-Law No. 2398]
- D. Coverage. The maximum coverage by group dwellings in any R4G Zone shall not exceed twenty-five per cent (25%) of the lot area.
- E. Landscaped open space. Not less than sixty per cent (60%) of the lot area shall be provided for landscaped open space. [Amended 1962-09-24 by By-Law No. 13,631; 1979-06-25 by By-Law No. 1979-165]
- F. Type of building. All party-walls shall be constructed with brick, block or stone. [Amended 1977-03-14 by By-Law No. 4050]

ARTICLE XVII
R5 Fifth Density Residential Zone

§ 320-72. Applicability.

Subject to regulations in Articles II through V, the following regulations shall apply to the Fifth Density Residential Zone R5.

§ 320-73. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential: one-family detached dwellings; duplex dwellings; apartment houses; lodging-houses; and group homes, as defined in §§ 320-3B and 320-24.1. [Amended 1979-10-29 by By-Law No. 1979-274; 1981-10-05 by By-Law No. 1981-297; 1986-01-13 by By-Law No. 1986-12]
- B. Business. [Amended 1970-09-14 by By-Law No. 1774; 1970-10-13 by By-Law No. 1799]
 - (1) The office of not more than one (1) physician located in a one-family detached dwelling which is used as the private residence of the physician, such office to be used for

consultation and emergency or minor treatment only and not to be in the nature of a clinic or a private hospital.

- (2) The office of not more than one (1) dentist located in a one-family detached dwelling which is used as the private residence of the dentist, such office to contain not more than one (1) dental chair and not to be in the nature of a clinic.
 - (3) Private home day care. [Added 1975-06-23 by By-Law No. 3605]
 - (4) Neighbourhood stores in apartment buildings offering only goods for sale by retail in accordance with the provisions of § 320-52. [Added 1978-05-08 by By-Law No. 1978-104]
 - (5) Day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-208]
- C. Institutional: schools (public, separate and private); churches; church halls; Sunday schools; libraries; and day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Amended 1985-09-09 by By-Law No. 1985-208]
- D. Public: municipal, provincial or federal government buildings; fire halls; community centre; and parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799⁴¹]
- E. Accessory uses and buildings: private garages; carports; neighbourhood garages; television antennae; private swimming-pools and structures in conjunction with such swimming-pools; and lawn and garden furnishings. [Amended 1960-01-18 by By-Law No. 12,100; 1962-02-05 by By-Law No. 13,167; 1966-09-06 by By-Law No. 15,581; 1967-08-08 by By-Law No. 393]
- F. Parking.⁴² Automobile parking space shall be provided in accordance with § 320-18.

⁴¹ Editor's Note: By-Law No. 1799 also repealed original Subsection 9.6.1.3, which listed recreational uses for this district.

⁴² Editor's Note: Original Subsection 9.6.1.8, Signs, which immediately followed this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

§ 320-74. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the

(Cont'd on page 32107)



area regulations provided in Article XI and the following regulations.

- A. **One-family detached dwellings.** One-family detached dwellings shall be allowed only where piped water and sanitary sewers exist or will be made available by the township and shall conform to the following regulations:
- (1) Lot frontage: minimum fifteen (15) metres.
 - (2) Lot area: minimum five hundred fifty-seven (557) square metres.
 - (3) Lot coverage, maximum, main building: thirty-three per cent (33%).
 - (4) Ground floor area.
 - (a) Minimum, one-storey dwellings: one hundred fifteen (115) square metres.
 - (b) Minimum, one-and-one-half-storey dwellings: seventy-eight (78) square metres.
 - (c) Minimum, two-storey dwellings: sixty-five (65) square metres.
- B. **[Amended 1960-01-18 by By-Law No. 12,100; 1970-10-13 by By-Law No. 1799] Duplex dwellings.** Duplex dwellings shall be allowed only where piped water and sanitary sewers exist or will be made available by the borough and shall conform to the following regulations:
- (1) Lot frontage: minimum sixteen and five-tenths (16.5) metres.
 - (2) Lot area: minimum six hundred sixty-eight (668) square metres.
 - (3) Lot coverage: maximum thirty-five per cent (35%).
 - (4) Dwelling unit area: minimum one hundred two (102) square metres.
- C. **Apartment houses.**
- (1) Apartment houses shall be allowed only where piped water and sanitary sewers exist or will be made available

by the township and shall conform to the following regulations:

- (a) Lot frontage: minimum twenty-four (24) metres.
 - (b) Lot area, minimum per dwelling unit: one hundred thirty-nine (139) square metres.
 - (c) Lot coverage, maximum, main building: forty per cent (40%).
 - (d) Distance from front lot line: minimum seven and five-tenths (7.5) metres.
 - (e) Distance from side lot line: minimum one-half ($\frac{1}{2}$) of the height of the building.
 - (f) Distance from rear lot line: minimum twenty-five per cent (25%) of the depth of the lot but not less than seven and five-tenths (7.5) metres.
- (2) Notwithstanding Subsection C(1) above, apartment houses not exceeding five (5) units shall be allowed only where piped water and sanitary sewers exist and shall conform with the following regulations:
- (a) Lot frontage: minimum eighteen (18) metres.
 - (b) Lot area: minimum six hundred sixty-eight (668) square metres or one hundred thirty-nine (139) square metres per unit, whichever shall be the greater.
 - (c) Lot coverage, maximum, main building: forty per cent (40%).
 - (d) Side yards: minimum three (3) metres.⁴³

D. Parking space shall be provided as required under § 320-18.⁴⁴

⁴³ Editor's Note: Original Subsections 9.6.2.4, Garden Apartments (amended 1966-11-07 by By-Law No. 15,696), and 9.6.2.5, Courts, which immediately followed this subsection, were repealed 1979-10-29 by By-Law No. 1979-274.

⁴⁴ Editor's Note: Original Subsection 9.6.2.7, Signs, which immediately followed this subsection, was repealed 1970-10-13 by By-Law No. 1799.

ARTICLE XVIII
R6 Sixth Density Residential Zone
[Added 1968-10-07 by By-Law No. 932]

§ 320-75. Applicability.

Subject to compliance with the provisions under Articles II through V, the following regulations shall apply in a Sixth Density Residential Zone R6.

§ 320-76. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

A. Residential: apartment houses.

B. Business.

- (1) Neighbourhood stores in apartment buildings offering only goods for sale by retail in accordance with the provisions of § 320-52. [Added 1970-09-14 by By-Law No. 1774]
- (2) Private home day care. [Added 1975-06-23 by By-Law No. 3605]
- (3) Day nurseries and nursery schools, provided that they are situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-208]

C. Recreational: nil.

D. Institutional: nil.

E. Public: nil.

F. Accessory uses and buildings, such as parking garages; television antennae; and private swimming-pools and structures in conjunction with such swimming-pools.

G. Parking.

- (1) Except as provided in Subsection G(2) hereof, automobile parking space shall be provided in accordance with § 320-18. [Amended 1984-06-29 by By-Law No. 1984-140]

- (2) Parking areas and driveways. No parking area or driveway shall be located closer than one and five-tenths (1.5) metres to any street line or four-tenths (0.4) metre to any side or rear property line except where required for direct access to the street.

§ 320-77. Area requirements.

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained except in accordance with the area regulations provided in Article XI and the following regulations:

A. Apartment houses shall be allowed only where piped water and sanitary sewers exist or will be made available by the borough and shall conform to the following regulations:

- (1) Lot frontage: minimum twenty-four (24) metres.
- (2) Lot area, minimum per dwelling unit: sixty-seven (67) square metres.
- (3) Lot coverage, maximum, main building: twenty per cent (20%).
- (4) Distance from the front lot line: minimum seven and five-tenths (7.5) metres.
- (5) Distance from the side lot line: minimum one-half ($\frac{1}{2}$) of the height of the building.
- (6) Distance from the rear lot line: minimum twenty per cent (20%) of the depth of the lot, but not less than six (6) metres.

B. Landscaped open space. Not less than sixty-five per cent (65%) of the lot area shall be reserved for landscaped open space. [Amended 1979-06-25 by By-Law No. 1979-165; 1984-06-29 by By-Law No. 1984-140]

ARTICLE XIX

General Regulations for Commercial Zones**§ 320-78. Applicability. [Amended 1966-11-07 by By-Law No. 15,696; 1983-04-05 by By-Law No. 1983-72]**

The following general provisions shall apply to Articles XX, XXI and XXII only:

A. **[Added 1996-12-09 by By-Law No. 1996-210]** An outdoor garden centre may be permitted as an accessory use to an existing permitted use in commercial shopping centres zoned CP Local, CP Regional and CPP and in the Honeydale Mall and Humbertown Shopping Centre, subject to the following provisions:

- (1) Months of operation: April 1 to October 31.
- (2) Maximum area: 10% of the gross floor area of the use to which they are accessory or 250 square metres, whichever is less.
- (3) Parking: as set out in § 320-18C(2)(a) and (b) of the Zoning Code.
- (4) Minimum front, rear and side yards abutting a residential zone: 15 metres. If the garden centre is screened by means of a solid wood, metal or similar fence, the yards shall be as set out in § 320-79 of the Zoning Code.
- (5) The storage and warehousing of goods in trucks, trailers and similar vehicles and/or accessory structures shall not be permitted.
- (6) Product containers and display racks stored outside shall be removed when the outdoor garden centre use ends.

§ 320-79. Non-residential buildings.

A. Front yards.

- (1) Except as provided in Subsection A(2), a front yard shall be required for any building erected, structurally altered or used for non residential purposes in a commercial zone, and the minimum distance of such building from the front lot line shall be 30% of the depth.
- (2) Notwithstanding the provisions of Subsection A(1), the distance from the front lot line of any building for non-residential purpose erected between existing non-residential buildings which are not more than 45 metres apart on the same street in the same block shall conform with the line established by the existing non-residential building farthest from the street line. Where the sole remaining undeveloped lot in a block is situated on a corner, the front yard set-back for the said lot shall conform to the set-back of the next building used for non-residential purposes adjacent thereto. **[Amended 1960-01-18 by By-Law No. 12,100; 1970-10-13 by By-Law No. 1799]**
- (3) Notwithstanding the provisions of Subsection A(1), the outside display of merchandise up to 1.0 metres from the front line of a building is permitted, provided that the outside display of merchandise does not encroach on any public sidewalk or reduce the available width of any private walkway or sidewalk to less than 1.8 metres. **[Added 1996-12-09 by By-Law No. 1996-210]**

B. Side yards.

- (1) Subject to Subsection B(2), (3) and (4), no side yard shall be required for any building erected, structurally altered or used for non-residential purposes in a commercial zone. **[Amended 1970-10-13 by By-Law No. 1799]**
- (2) In a commercial zone where the side lot line of a lot used for non-residential purposes is the boundary between said commercial zone and a residential

zone, a side yard shall be required for any building erected, structurally altered or used for non-residential purposes, and the minimum distance of such building from the said side lot line shall be three metres.

(3) **[Amended 1979-07-23 by By-Law No. 1979-198]**

If a building flanks on one of the following streets, the minimum distance of a building from the centre line of the street shall be $\frac{1}{2}$ the width of the street adjacent thereto plus 4.5 metres. In addition, no portion of the building may be built closer to the intersection than a line drawn diagonal to the intersection from a point on the side yard line distant three metres from the front lot line to a point on the front lot line distant three metres measured away from the intersection. The following are the streets:

Albion Road

Brown's Line

Burnhamthorpe Road

Dixon Road

Eglinton Avenue

Evans Avenue

Highway 27

Highway 427

Horner Avenue

Islington Avenue, north of Eglinton Avenue

Kipling Avenue, north of Eglinton Avenue

Martin Grove Road, north of Burnhamthorpe Road

Royal York Road, north of Edenbridge Drive

- (4) Hotels shall have a minimum side yard of 3.6 metres where the building is less than 7.5 metres in height; and for each additional 3.6 metres in height or part thereof, an additional 1.5 metres of side yard shall be required up to a total maximum of 9.5 metres. **[Added 1970-10-13 by By-Law No. 1799]**

C. Rear yards.

- (1) Where no public lane presently exists to the rear of a commercial lot, a minimum rear yard of nine metres shall be required.
- (2) Where a public lane does exist, the minimum distance from the rear main wall of the building to the opposite boundary of the lane shall be nine metres.

(Cont'd on page 32113)

- (3) Notwithstanding any other provision herein contained, in the Limited Commercial Zone on the south side of Bloor Street between Mimico Creek and C.P.R. Railway any building erected, structurally altered or maintained for commercial purposes subsequent to the passing of this chapter shall provide a minimum rear yard of nine (9) metres between the rear main wall and the lot line.

D. Lot coverage. Buildings erected, structurally altered or used for nonresidential purposes shall not cover more than fifty per cent (50%) of the lot area.

§ 320-80. Residential buildings. [Amended 1966-11-07 by By-Law No. 15,696]

Any building erected, structurally altered or used solely for residential purposes in a commercial zone shall comply with the regulations provided in Articles XI, XIII and XVII, but in the event of conflict Article XIII shall prevail.

§ 320-81. Automobile parking space.

Parking space shall be provided in accordance with § 320-18.

§ 320-82. Mixed residential and business use buildings. [Amended 1979-06-25 by By-Law No. 1979-165]

In any commercial zone in which dwelling units are permitted above a business use, the combined uses shall comply with the general provisions of this Article and the following:

- A. The maximum height of the building shall not exceed three (3) storeys.
- B. Dwelling units shall be located above the first storey and be a minimum of two and seven-tenths (2.7) metres above the finished grade level of the principal street immediately abutting the property.

- C. Not more than two (2) dwelling units shall be permitted in each building.
- D. Access to the dwelling units shall be from the principal street frontage at grade.
- E. Each dwelling unit shall provide a minimum floor area of sixty (60) square metres.
- F. The building coverage shall not exceed fifty per cent (50%) of the lot area.

§ 320-83. Accessory buildings.

- A. No accessory buildings shall be erected on a corner lot.
- B. All accessory buildings shall be of masonry construction.
- C. All private and neighbourhood garages shall not exceed a maximum height of four and six-tenths (4.6) metres.

§ 320-84. Commercial uses of residence buildings. [Amended 1982-12-13 by By-Law No. 1982-254]

Where a one-family detached dwelling exists in a commercial zone, the permitted uses of the building shall be a one-family dwelling, except that if the proposed use requires no structural alterations of, or addition to, the building, then the following commercial uses will be permitted: offices, business and professional, hairdressers, photographers and other such uses as require no more than residential floor loadings, but shall not include neighbourhood stores or warehousing.

§ 320-85. Day nurseries or nursery schools. [Added 1964-04-06 by By-Law No. 14,392; amended 1982-12-13 by By-Law No. 1982-254]

Where a one-family detached dwelling exists in a commercial zone, the permitted uses of the building shall be a one-family dwelling, except that the building may be used as a day nursery or nursery school, provided that such building is of masonry construc-

tion and complies or is made to comply with this chapter and all other by-laws which regulate the construction or use of buildings, and provided that, in so doing, no exterior alterations are made to such building other than as may be required for the purpose of complying with the regulations for the construction or use of such buildings.

ARTICLE XX

CN Neighbourhood Commercial Zone

§ 320-86. Applicability.

Subject to the general provisions under Articles II through V, the following regulations shall apply in the Neighbourhood Commercial Zone.

§ 320-87. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

A. Residential: one-family detached dwellings; duplex dwellings; apartment houses; dwelling units above a business use; lodging-houses; and group homes, as defined in §§ 320-3B and 320-24.1. [**Amended 1979-06-25 by By-Law No. 1979-165; 1981-10-05 by By-Law No. 1981-297; 1986-01-13 by By-Law No. 1986-12]**

B. Business.

(1) Neighbourhood stores (see the definition of "neighbourhood store" in § 320-3B), commercial schools, professional offices, medical centres and medical and dental offices only, provided, further, that customer-operated automatic laundries shall also be permitted. [**Amended 1970-10-13 by By-**

Law No. 1799; 1987-05-19 by By-Law No. 1987-97]

(2) Amusement devices and game establishment – Type A. (See the definition of “amusement device” in § 320-3B.) **[Added 1978-07-04 by By-Law No. 1978-199; amended 1978-12-11 by By-Law No. 1978-338; 1982-12-13 by By-Law No. 1982-264]**

(3) Restaurants.

(a) Convenience restaurant, take-out restaurant and standard restaurant. **[Added 1981-03-09 by By-Law No. 1981-60]**

(b) One (1) food vending cart, except on a corner lot where a second food vending cart will be permitted. **[Added 1994-08-19 by By-Law No. 1994-139]**

(4) Day nurseries and nursery schools, as defined in § 320-3B. **[Added 1985-09-09 by By-Law No. 1985-208]**

C. Institutional: day nurseries and nursery schools, as defined in § 320-3B. **[Amended 1985-09-09 by By-Law No. 1985-208]**

D. Public: nil.

E. Accessory uses: private garages; neighbourhood garages; and television antennae.⁵

F. Parking space. Parking space shall be provided as required under § 320-18. **[Added 1970-10-13 by By-Law No. 1799⁶]**

⁵ Editor’s Note: Original Subsection 10.2.1.7, Signs, which immediately followed this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

⁶ Editor’s Note: By-Law No. 1799 also repealed original Subsection 10.2.1.3, which listed recreational uses for this district.

§ 320-88. Area requirements. [Amended 1973-12-17 by By-Law No. 2976; 1981-03-09 by By-Law No. 1981-60]

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the regulations provided in Article XIX.

§ 320-89. Maximum height [Amended 1979-04-02 by By-Law No. 1979-68]

Subject to § 320-9B, no building or structure shall be permitted more than two (2) storeys in height.

ARTICLE XXI
CL Limited Commercial Zone

§ 320-90. Applicability.

Subject to the general provisions under Articles II through V, the following regulations shall apply in the Limited Commercial Zone.

§ 320-91. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential: one-family detached dwellings; duplex dwellings; lodging-houses; apartment houses; dwelling units above a business use; and group homes, as defined in §§ 320-3B and 320-24.1. (See also By-Law No. 2854.⁷)
[Amended 1979-06-25 by By-Law No. 1979-165; 1979-07-23 by By-Law No. 1979-177; 1981-10-05 by

⁷ Editor's Note: By-Law No. 2854 is a site specific by-law. See Ch. 324, Site Specifics.

By-Law No. 1981-297; 1986-01-13 by By-Law No. 1986-12]

B. Business.

- (1) The following types of uses: neighbourhood stores (see the definition of "neighbourhood store" in § 320-3B); bakery shops; banks; clothes cleaning agencies or pressing establishments; confectionery stores; custom dressmaking and millinery shops; florist and gift shops; hotels; jewellery stores; laundry agencies; offices, business and professional; photographers; shoe stores and shoe repair shops; tailor; clothing and wearing apparel shops; theatres; undertaking establishments; service stations and public garages; public parking areas; bowling-alleys; dry-cleaning plants using non-combustible cleaning solvents; customer-operated automatic laundries; new and used car sales rooms and lots (other than lots for the sale of trailers that are suitable for being attached to a motor vehicle for the purpose of being drawn or propelled by the motor vehicle and capable of being used for the living, sleeping or eating accommodation of persons), provided that they are used only on the same lot as and as a subsidiary of and in conjunction with a new car sales agency; nursery schools and day nurseries; health centres; commercial schools; athletic clubs; social clubs; amusement devices; game establishment – Types A, B and C (see the definition of "amusement device" in § 320-3B); convenience restaurants; take-out restaurants; standard restaurants; one (1) food vending cart, except on a corner lot where a second food vending cart will be permitted; medical centres; and medical and dental offices. [**Amended 1960-01-18 by By-Law No. 12,100; 1964-04-06 by By-Law No. 14,392; 1965-01-05 by By-Law No. 14,732; 1970-10-13 by By-Law No. 1799; 1972-03-27 by By-Law No. 2327; 1978-07-04 by By-Law No. 1978-199; 1978-12-11 by By-Law No.**

1978-338; 1981-03-09 by By-Law No. 1981-60; 1982-12-13 by By-Law No. 1982-264; 1987-05-19 by By-Law No. 1987-97; 1994-08-19 by By-Law No. 1994-139]

- (2) Lot No. 3 according to Registered Plan No. 2131 may, in addition to such uses, be used for the manufacture of confectionery.
- C. Institutional: schools (public, separate, private and nursery); colleges; churches; church halls; Sunday schools; libraries; museums; art galleries; fraternal societies; and day nurseries and nursery schools, as defined in § 320-3B. **[Amended 1985-09-09 by By-Law No. 1985-208]**
- D. Public: municipal, provincial or federal government buildings; fire halls; police stations; monuments; rest-rooms; community centre; and parks and playgrounds. **[Amended 1970-10-13 by By-Law No. 1799⁸]**
- E. Accessory uses: private garages; neighbourhood garages; and television antennae.⁹
- F. Parking space. Parking space shall be provided as required under § 320-18. **[Added 1970-10-13 by By-Law No. 1799]**

§ 320-92. Area requirements. [Amended 1973-12-17 by By-Law No. 2976; 1981-03-09 by By-Law No. 1981-60]

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the regulations provided in Article XIX.

⁸ Editor's Note: By-Law No. 1799 also repealed original Subsection 10.3.1.3, which listed recreational uses for this district.

⁹ Editor's Note: Original Subsection 10.3.1.7, Signs, which immediately followed this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

§ 320-93. Maximum height. [Amended 1979-04-02 by By-Law No. 1979-68]

Subject to § 320-9B, no building or structure shall be hereafter erected, structurally altered, enlarged or maintained to exceed fourteen (14) metres in height.

ARTICLE XXII
CG General Commercial Zone

§ 320-94. Applicability.

Subject to the general provisions in Articles II through V, the following regulations shall apply in the General Commercial Zone.

§ 320-95. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential: one-family detached dwellings; duplex dwellings; lodging-houses; apartment houses; dwelling units above a business use; and group homes, as defined in §§ 320-3B and 320-24.1. **[Amended 1979-06-25 by By-Law No. 1979-165; 1979-07-23 by By-Law No. 1979-177; 1981-10-05 by By-Law No. 1981-297; 1986-01-13 by By-Law No. 1986-12]**
- B. Business: the following types of uses:
 - (1) Neighbourhood stores (see the definition of "neighbourhood store" in § 320-3B); bakery shops; banks; clothes cleaning agencies or pressing establishments; confectionery stores; custom dressmaking and millinery shops; florist and gift shops; hotels; jewellery stores; laundry agencies; offices, business and professional; photographers; shoe stores and shoe repair shops; tailor; clothing and wearing

apparel shops; theatres; undertaking establishments; service stations and public garages; public parking areas; customer-operated automatic laundries; nursery schools and day nurseries; health centres; commercial schools; athletic clubs; social clubs; amusement devices; game establishment – Types A and B (see the definition of “amusement device” in § 320-3B); new and used car sales rooms and lots, provided that they are used only on the same lot as and as a subsidiary of and in conjunction with a new car sales agency; convenience restaurants, take-out restaurants and standard restaurants; one (1) food vending cart, except on a corner lot where a second food vending cart will be permitted; medical centres; and medical and dental offices. [Amended 1964-04-06 by By-Law No. 14,392; 1965-01-05 by By-Law No. 14,732; 1970-10-13 by By-Law No. 1799; 1978-07-04 by By-Law No. 1978-199; 1978-12-11 by By-Law No. 1978-337; 1978-12-11 by By-Law No. 1978-338; 1981-03-09 by By-Law No. 1981-60; 1982-12-13 by By-Law No. 1982-264; 1987-05-19 by By-Law No. 1987-97; 1994-08-19 by By-Law No. 1994-139]

(2) Shops for the repair of small goods and wares; laundries; and cleaners and dyers.

C. Institutional: schools (public, separate, private and nursery); colleges; churches; church halls; Sunday schools; libraries; museums; art galleries; fraternal societies; and day nurseries and nursery schools, as defined in § 320-3B. [Amended 1985-09-09 by By-Law No. 1985-208]

D. Public: municipal, provincial or federal government buildings; fire halls; police stations; monuments; rest-rooms; community centre; and parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799¹⁰]

¹⁰ Editor's Note: By-Law No. 1799 also repealed original Subsection 10.4.1.3, which listed recreational uses for this district.

E. Accessory uses: private garages; neighbourhood garages; and television antennae.¹¹

(Cont'd on page 32121)

¹¹ Editor's Note: Original Subsection 10.4.1.7, Signs, which immediately followed this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

F. Parking space. Parking space shall be provided as required under § 320-18. [Added 1970-10-13 by By-Law No. 1799]

§ 320-96. Area requirements. [Amended 1973-12-17 by By-Law No. 2976]

No building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except in accordance with the regulations provided in Article XIX.

§ 320-97. Maximum height. [Amended 1978-04-02 by By-Law No. 1979-68]

Subject to § 320-9B, no building or structure shall be hereafter erected, structurally altered, enlarged or maintained to exceed fourteen (14) metres in height.¹

ARTICLE XXIII

CP Local Planned Commercial Local Zone

§ 320-98. Applicability.

Subject to the general provisions under Articles II through V, the following regulations shall apply in the CP Local Zones.

§ 320-99. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential. No residential use of any type shall be permitted.

¹ Editor's Note: Original Subsection 10.4.4, which immediately followed this subsection and permitted a dry-cleaning establishment at 110 Brown's Line, was repealed 1970-10-13 by By-Law No. 1799.

- B. Business. The uses permitted under CN (Neighbourhood Commercial), plus the following: business and professional offices; health centres; gasoline service stations; bowling-alleys; banks; dry-cleaning plants using non-combustible cleaning solvents; amusement devices; and game establishment - Type A; (See the definition of "amusement device" in § 320-3B.) medical centres; and medical and dental offices. The permitted use shall not include the following: hotels; taverns; motor sales rooms; public garages; car sales lots; motor body repair shops; and undertaking establishments. [Amended 1961-12-04 by By-Law No. 13,063; 1965-01-05 by By-Law No. 14,732; 1966-11-07 by By-Law No. 15,696; 1970-10-13 by By-Law No. 1799; 1972-03-27 by By-Law No. 2327; 1978-07-04 by By-Law No. 1978-9; 1978-12-11 by By-Law No. 1978-338; 1980-02-18 by By-Law No. 1980-52; 1982-12-13 by By-Law No. 1982-264; 1987-05-19 by By-Law No. 1987-97]
- C. Institutional: day nurseries and nursery schools, as defined in § 320-3B. [Amended 1985-09-09 by By-Law No. 1985-208]
- D. Public: nil.
- E. Accessory uses: television antennae and attached garages for the storage of motor vehicles used in the normal operation of the business indicated on the premises.²
- F. Parking space. Parking space shall be provided as required under § 320-18. [Amended 1970-10-13 by By-Law No. 1799]³

² Editor's Note: Original Subsection 10.5.1.7, Signs, which immediately followed this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

³ Editor's Note: By-Law No. 1799 also repealed original Subsection 10.5.1.3, which listed recreational uses for this district.

§ 320-100. Area requirements.

No building shall be hereafter erected, structurally altered, enlarged or maintained for the above uses, except in accordance with the following regulations:

- A. The land shall be under one (1) ownership; or if under several ownerships, all owners shall individually and jointly comply with the provisions set forth herein.
- B. Area requirements. Maximum lot coverage shall be twenty-five per cent (25%).
- C. Front yard. The minimum front yard shall be ten and five-tenths (10.5) metres.
- D. Side and rear yards. Where such yard is abutting a street line, the minimum distance between the building and the street line shall be ten and five-tenths (10.5) metres. Otherwise the minimum side or rear yard shall be seven and five-tenths (7.5) metres.
- E. Landscaping. Where the side or rear line of the parking area abuts a residential zone and is not separated from same by a street or lane, the parking area shall not be applied closer than one and five-tenths (1.5) metres to the boundary of the commercial property. This one-and-five-tenths-metre strip shall be used only for landscaping, with at least one (1) hedgerow of hardy shrubs not less than one and five-tenths (1.5) metres in height. The remainder of this strip shall not be used for any purpose except planting.
- F. Lighting. Where lighting facilities and/or illuminated signs are provided, they must be so arranged as to be directed away from abutting residential buildings.

(Cont'd on page 32123)

- G. Building height: maximum two (2) storeys above finished grade.
- H. Type of buildings. [Added 1970-03-16 by By-Law No. 1560; amended 1979-02-19 by By-Law No. 1979-32; 1981-03-09 by By-Law No. 1981-60⁵⁵]
- (1) All buildings shall abut each other or shall be joined to each other by a common wall, a covered mall or other structure having a full roof.
 - (2) Notwithstanding the hereinbefore mentioned requirement, the following buildings need not abut or be joined to another building: brewers retail stores, liquor stores, service stations, theatres and department stores.

ARTICLE XXIV

CP Regional Planned Commercial Regional Zone

§ 320-101. Applicability.

Subject to the provisions of Articles II through V, the following regulations shall apply to CP Regional Zones.

§ 320-102. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Residential. No residential use of any type shall be permitted.
- B. Business. The business uses permitted under CN (Neighbourhood Commercial), CL (Limited Commercial) with the exception of car sales lots and CP Local (Planned Commercial

⁵⁵ Editor's Note: By-Law No. 1981-60 also provided as follows:

"Notwithstanding the above, freestanding restaurants will be permitted in the following locations:

"1530 Albion Road (Shoppers World Albion)

"150 Berry Road (Stonegate Plaza)

"900 Albion Road."

Local); amusement devices; and game establishment - Types A, B and C. (See the definition of "amusement device" in § 320-3B.) [Amended 1978-07-04 by By-Law No. 1978-199; 1978-12-11 by By-Law No. 1978-338; 1980-02-18 by By-Law 1980-52; 1982-12-13 by By-Law No. 1982-264]

- C. Institutional: churches; church halls; Sunday schools; and day nurseries and nursery schools, as defined in § 320-3B. [Amended 1985-09-09 by By-Law No. 1985-208]
- D. Public: community centre; and parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799⁵⁶]
- E. Accessory uses: nil.⁵⁷
- F. Parking space. Parking space shall be provided as required under § 320-18. [Amended 1970-10-13 by By-Law No. 1799]

§ 320-103. Area requirements.

No building shall be hereafter erected, structurally altered, enlarged or maintained for the above uses, except in accordance with the following regulations:

- A. The lands shall be in one (1) ownership, or if in several ownerships, all owners shall individually and jointly comply with the provisions set forth herein.
- B. Area requirements. Maximum lot coverage shall be twenty-five per cent (25%).
- C. Front yard. The minimum front yard shall be ten and five-tenths (10.5) metres.
- D. Side and rear yards. Where such yard is abutting a street line, the minimum distance between the building and the street line shall be ten and five-tenths (10.5) metres. Otherwise the minimum side yard or rear yard shall be seven and five-tenths (7.5) metres.
- E. Landscaping. Where the side or rear line of the parking area abuts a residential zone and is not separated from same by a

⁵⁶ Editor's Note: By-Law No. 1799 also repealed original Subsection 10.6.1.3, which listed recreational uses for this district.

⁵⁷ Editor's Note: Original Subsection 10.6.1.7, Signs, which immediately followed this subsection, was repealed 1965-06-07 by By-Law No. 14,897.

street or lane, the parking area shall not be applied closer than one and five-tenths (1.5) metres to the boundary of the commercial property. This one-and-five-tenths-metre strip shall be maintained only for landscaping, with at least one (1) hedgerow of hardy shrubs not less than one and five-tenths (1.5) metres in height. The remainder of this strip shall not be used for any purpose except planting.

- F. Lighting. Where lighting facilities and/or illuminated signs are provided, they must be so arranged as to be directed away from abutting residential buildings.
- G. Type of buildings. [Added 1970-03-16 by By-Law No. 1560; amended 1979-02-19 by By-Law No. 1979-32; 1981-03-09 by By-Law No. 1981-60⁵⁸]
- (1) All buildings shall abut each other or shall be joined to each other by a common wall, a covered mall or other structure having a full roof.
 - (2) Notwithstanding the hereinbefore mentioned requirement, the following buildings need not abut or be joined to another building: brewers retail stores, liquor stores, service stations, theatres and department stores.

ARTICLE XXV

CPP Planned Commercial Preferred Zone

§ 320-104. Applicability.

Subject to the general provisions of Articles II through V, the following regulations shall apply in a CPP Zone.

§ 320-105. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

⁵⁸ Editor's Note: By-Law No. 1981-60 also provided as follows:

"Notwithstanding the above, freestanding restaurants will be permitted in the following locations:

"1530 Albion Road (Shoppers World Albion)

"150 Berry Road (Stonegate Plaza)

"900 Albion Road."

A. Residential: nil.

B. Business.

(1) Neighbourhood stores as defined in § 320-3B, but not dry cleaning agencies acting as receiving and distributing depots for other associated or non-associated agencies; professional offices; hotels; office buildings, showrooms and research laboratories without smoke-stacks; theatres; cinemas; publishing establishments, provided that no printing is done on the premises; radio and television broadcasting studios; movie film studios; commercial photographers; recording and distribution studios; photo printing; commercial recreation centres located entirely within fully enclosed buildings; private clubs; hospitals; medical, dental and drugless practitioners' clinics and commercial schools; amusement devices; game establishment - Types A and B (see the definition of "amusement device" in § 320-3B); convenience restaurants; take-out restaurants; and standard restaurants. [Amended 1965-04-05 by By-Law No. 14,825; 1970-10-13 by By-Law No. 1799; 1978-07-04 by By-Law No. 1978-199; 1978-12-11 by By-Law No. 1978-338; 1981-03-09 by By-Law No. 1981-60; 1982-12-13 by By-Law No. 1982-264]

(2) All permitted business shall be conducted wholly within enclosed buildings. [Amended 1980-02-18 by By-Law No. 1980-52]

(3) Day nurseries and nursery schools, as defined in § 320-3B. [Added 1985-09-09 by By-Law No. 1985-208]

C. Institutional: schools; churches; church halls and church residences; libraries; museums; art galleries; and day nurseries and nursery schools, as defined in § 320-3B. [Amended 1985-09-09 by By-Law No. 1985-208]

D. Public: municipal, provincial and federal government office buildings; community centre; and parks and playgrounds. [Amended 1970-10-13 by By-Law No. 1799⁶⁹]

⁶⁹ Editor's Note: By-Law No. 1799 also repealed original Subsection 10.7.1.3, which listed recreational uses for this district.

- E. Accessory uses: television antennae and private garages for the storage of motor vehicles used in the normal operation of the business indicated on the premises.
- F. Parking space. Parking space shall be provided as required under § 320-18. [Amended 1965-04-05 by By-Law No. 14,825; 1970-10-13 by By-Law No. 1799]

§ 320-106. Area requirements.

No buildings shall be hereafter erected, structurally altered or maintained for the above uses, except on a lot of at least one (1) hectare.

(Cont'd on page 32127)



- A. Gross floor area. The commercial floor area of any building as defined in § 320-3 shall not exceed 40% of the total lot area upon which the building is situated. Notwithstanding the foregoing, the gross floor area of any building may exceed 40% of the total lot area, provided that in all such cases at least 30% of the total lot area shall be used for no purpose other than landscaping and shall not be used for the erection of buildings or the parking of automobiles or trucks or driveways. **[Amended 1965-04-05 by By-Law No. 14,825; 1970-10-13 by By-Law No. 1799]**
- B. Set-backs. As defined herein, "set-back" shall mean the distance from a lot line to the nearest point of a building. For the purpose of interpreting set-back requirements, any permanent platforms, canopies, curbs, guards or other appurtenances shall be considered as part of the building. The following set-backs shall be provided and maintained:
- (1) From any street line: 15 metres minimum.
 - (2) From side property lines not on a street: 7.5 metres minimum where the building does not exceed eight metres in height. For each additional three metres in height or part thereof, an additional 1.5 metres of side yard setback shall be provided.
 - (3) Notwithstanding the provisions of Subsection B(1) and (2) above, the minimum front and side yard set-backs shall not be obstructed by any part of a building, loading facilities, parking area or driveway, other than driveways which do not exceed 7.5 metres in width and provide a means of ingress and egress to and from a parking area. **[Amended 1970-10-13 by By-Law No. 1799]**
 - (4) From the rear property line where the building does not exceed eight metres in height, a minimum rear yard of 7.5 metres shall be provided. For each additional three metres in height or part thereof, an additional 1.5 metres of rear yard set-back shall be

provided. Where such required rear yard abuts a residential property, the rear 7.5 metres of such rear yard shall be used for no other purpose than landscaping and planting. **[Amended 1965-04-05 by By-Law No. 14,825]**

- C. Driveways. Common or mutual driveways serving two or more properties shall not be allowed. Driveways shall be paved.
- D. Display areas. Areas for the display or exhibition, but not for permanent or temporary storage, of machinery, materials or equipment may be established in any yard.
- E. Type of buildings. **[Added 1970-03-16 by By-Law No. 1560; amended 1979-02-19 by By-Law No. 1979-32; 1981-03-09 by By-Law No. 1981-60¹⁴]**
- (1) All buildings shall abut each other or shall be joined to each other by a common wall, a covered mall or other structure having a full roof.
 - (2) Notwithstanding the hereinbefore mentioned requirement, the following buildings need not abut or be joined to another building: brewers retail stores, liquor stores, service stations, theatres and department stores.¹⁵

¹⁴ Editor's Note: By-Law No. 1981-60 also provided as follows:

"Notwithstanding the above, freestanding restaurants will be permitted in the following locations:

"1530 Albion Road (Shoppers World Albion)

"150 Berry Road (Stonegate Plaza)

"900 Albion Road."

¹⁵ Editor's Note: Original Section 10.8, Non-Retail Commercial Zone, which immediately followed this section and was added 1963-01-21 by By-Law No. 13,768, as amended, was repealed 1973-01-08 by By-Law No. 2614.

§ 320-107

ZONING BY-LAW

§ 320-124

ARTICLE XXVI¹⁶
(Reserved)

§§ 320-107 through 320-114. (Reserved)

ARTICLE XXVII¹⁷
(Reserved)

§§ 320-115 through 320-117. (Reserved)

ARTICLE XXVIII¹⁸
(Reserved)

§§ 320-118 through 320-121. (Reserved)

ARTICLE XXIX¹⁹
(Reserved)

§§ 320-122 through 320-124. (Reserved)

¹⁶ Editor's Note: Former Art. XXVI, General Regulations for Industrial Zones, comprising §§ 320-107 through 320-114, was repealed 1997-06-23 by By-Law No. 1997-94.

¹⁷ Editor's Note: Former Art. XXVII, Class 1 Industrial Zone, consisting of §§ 320-115 through 320-117, was repealed 1996-12-09 by By-Law No. 1996-209.

¹⁸ Editor's Note: Former Art. XXVIII, Class 2 Industrial Zone, consisting of §§ 320-118 through 320-121, was repealed 1996-12-09 by By-Law No. 1996-209.

¹⁹ Editor's Note: Former Art. XXIX, Class 3 Industrial Zone, consisting of §§ 320-122 through 320-124, was repealed 1996-12-09 by By-Law No. 1996-209.

ARTICLE XXX
U Utilities Zone

[Added 1981-04-21 by By-Law No. 1981-129]

§ 320-125. Applicability.

Subject to compliance with the provisions of Articles II through V, the following regulations shall apply in the Utilities U Zone.

§ 320-126. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for the following uses:

- A. Agricultural: market gardening; nurseries; and garden plots. No sales of products or commodities, retail stands or commercial structures or slaughterhouses will be permitted.
- B. Residential: nil.
- C. Business: nil.
- D. Recreational: parks; playgrounds; cycleways; and walkways.
- E. Institutional: nil.
- F. Public: Ontario hydro-electric power facilities, maintenance yards and associated research, maintenance and office facilities. Additional public uses include transit routes and facilities, municipal roads, services and parking lots.
- G. Accessory uses: parking and storage in conjunction with a use permitted on abutting lands. Where there are differing zones on either side of the Utilities Zone, accessory uses will only be permitted on lands to the midpoint of the Utilities Zone.
- H. Parking: in accordance with § 320-18F.

(Cont'd on page 32151)

ARTICLE XXXI
ROS Regional Open Space Zone
[Added 1986-03-24 by By-Law No. 1986-67]

§ 320-127. Applicability.

Subject to compliance with the provisions of Articles II through V, the following regulations shall apply in the Regional Open Space Zone ROS.

§ 320-128. Permitted uses.

No building, structure or land shall be used and no building or structure shall be hereafter erected, structurally altered, enlarged or maintained, except for uses of a public or private nature which are established, maintained or supported by governmental authority and which may be more particularly described, but not limited to, the following:

- A. Business: permanent and transitory commercial athletic and recreational establishments; restaurants; farmers' markets; flea markets; sports shops; and gift and souvenir shops.
- B. Recreational: playgrounds; parks; community centres; tennis-courts; bowling-greens; stadia; swimming-pools; and golf-courses and uses of a similar nature.
- C. Accessory uses: uses which would normally be associated with or perform a support function for any of the foregoing permitted uses.
- D. Public: municipal leaf and yard waste composting site.
[Added 1992-10-05 by By-Law No. 1992-179]

