ZONING BY-LAW

Chapter 330

ZONING BY-LAW

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[HISTORY: Adopted by the Municipal Council of the Corporation of the Village of Long Branch 1964-04-1908 as By-Law No. 23/64. Amendments noted where applicable.¹]

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.
Numbering of buildings and lots — See Ch. 179.
Property maintenance — See Ch. 198.
Service stations — See Ch. 210.
Signs — See Ch. 215.

¹ Editor's Note: Amendments made by By-Law No. 1979-308 are included in the text of this chapter; however, historical data for this by-law is not given. By-Law No. 1979-308, adopted 1979-11-26, provided for the conversion of the imperial measurements in this chapter into metric equivalents. Such amendments are numerous to cite individually.

Site control agreements — See Ch. 217, Art. I. Swimming-pools — See Ch. 234. Storage of used vehicles — See Ch. 250.

ZONING CODE REFERENCES

Penalties for offences — See Ch. 300. Village of Long Branch Zoning Maps — See Ch. 331. Village of Long Branch site specifics — See Ch. 332. Site plan control — See Ch. 334.

ARTICLE I² (Reserved)

§ 330-1. (Reserved)

ARTICLE II Zoning Districts

§ 330-2. Districts established; Zoning Map.

A. [Amended 1996-12-09 by By-Law No. 1996-209] For the purposes of this chapter the municipality is hereby divided into the following use districts, the boundaries of which are more particularly described in the map annexed hereto, which is hereby declared to form part of this chapter.³

Letter or Symbol
RS
RM-1
RM-2
RMA
G
C-1

² Editor's Note: Former Art. I, Definitions, was repealed 1996-12-09 by By-Law No. 1996-210. See now § 304-3.

³ Editor's Note: See Ch. 331, Zoning Maps.

B. Where any district is described by the use of a single capital letter, such description shall be deemed to include all districts whose symbol contains such capital letter.

§ 330-2.1. 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.

§ 330-2.2. 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.

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ARTICLE III General Regulations

§ 330-3. Conformance required.

No person shall, within any district or area of the Village of Long Branch delineated on any District Map, use any land or erect or use any building or structure except in conformity with the provisions of this chapter respecting the district or area in which such land, building or structure is located or respecting the district or area in which it is proposed to erect the building or structure, and any dwelling unit in a basement is prohibited.

§ 330-4. Dwellings or stores on fronts of lots.

No building intended to be used as a residence or store shall be erected in the rear of any other building, and no building shall be erected in front of any existing building occupied as a dwelling or store in such a manner as to produce the condition of a dwelling or store being located in the rear of any other building. The "front of a lot" shall mean the part of a lot fronting on a public highway.

§ 330-5. Statement of measurement. [Added 1980-04-28 by By-Law No. 1980-130]

- 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.

§ 330-6. Nonconforming buildings and uses. [Added 1982-01-11 by By-Law No. 1982-10]

A. Nonconforming buildings.

(1) Existing nonconforming buildings. Subject to Subsections A(2) and C(1), a building which, at the date of enactment of this chapter, is used for the 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 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.

- (2) 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 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.
- (3) Reconstruction of damaged nonconforming buildings. Nothing in this chapter shall apply to prevent the reconstruction or continued use of any lawful nonconforming buildings 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.

B. Nonconforming use of buildings.

(1) 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.

- (2) 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 thereof, provided that such building or structure continues to be used in the same manner and for the same purpose thereafter.
- (3) 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 Subsection C, 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.

C. Nonconforming use of land.

- (1) 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 Subsection B, 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.
- (2) 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.
- (3) 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.

D. Lawful nonconforming location of buildings. [Added 1982-12-13 by By-Law No. 1982-256]

- (1) Lawful nonconforming buildings.
 - (a) Any building which is so located as to violate any yard or set-back requirements of this chapter and which was 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
 - (b) 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 in force at the time of the enlargement or addition.
- (2) 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 D(1).

E. Lawful nonconforming lots. [Added 1982-12-13 by By-Law No. 1982-256]

(1) Buildings on lawful nonconforming lots. Any lot, as defined under § 330-1, excepting a vacant lot, which does not meet the 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 in 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 requirements of the by-law in force at the time of the enlargement or addition.

F. Lawful nonconforming parking for change of use. In any Commercial 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 Commercial Zone, provided that the proposed use does not require a larger parking ratio than the existing use. [Added 1985-02-11 by By-Law No. 1985-28]

§ 330-7. Public services and utilities.

Notwithstanding anything contained in this chapter, the village or any local board thereof as defined in the Department of Municipal Affairs Act, any telephone or telegraph company, a transportation system owned or operated by or for the village, any department of the Dominion or Provincial Government, including the Hydro-Electric Power Commission of the Province of Ontario, may, for the purposes of the public service, use any land or erect or use any building or structure in any district notwithstanding that such building or structure or proposed use does not conform to the provisions of this chapter for such district, provided that such use, building or structure, if located in any R District, shall be in compliance with the height, coverage and yard regulations prescribed for such district but that there shall be no exterior storage in yards of goods, materials or equipment in any R District and that any building erected or used under the provisions of this section shall be of a character and maintained in general harmony with residential buildings of the type permitted in the said district.

§ 330-8. (Reserved)¹

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¹ Editor's Note: Former § 330-8, Conversion of single-family dwellings, as amended, was repealed 2000-07-06 by By-Law No. 493-2000(OMB).

§ 330-9. Automobile parking space. [Amended 1970-09-14 by By-Law No. 1777; 1976-02-16 by By-Law No. 3786]

- A. There shall be provided, for any building in any zone, an area for automobile parking located on the same lot with the 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 1982-01-11 by By-Law No. 1982-10; 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;

except that the minimum required width of a parking space shall be increased by 0.3 metre for each side of the parking space which 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;

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) 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 § 330-9A(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

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- 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.
- B. Residential. Automobile parking space shall be provided in accordance with the following regulations:
 - (1) One-family, semi-detached, duplex, triplex and fourplex dwellings. [Amended 1977-09-26 by By-Law No. 4230]
 - (a) 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 and fourplex dwelling is accessible by means of a minimum two-and-four-tenths-metre-wide driveway. [Amended 2006-09-27 by By-Law No. 973-2006³]

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.

- (b) Parking requirements. 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 Subsection B of this section, §§ 330-10 and 330-11 and as herein provided:
 - [1] 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 Subsection B(1)(a). [Amended 2006-09-27 by By-Law No. 973-2006⁴]
 - [a] Despite the minimum access driveway width of 6.0 metres required in § 330-9A, for town house dwellings where a driveway leads directly to the dwelling unit, one-family 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:
 - [i] A minimum width of 2.6 metres.
 - [ii] For lots with a frontage of less than six metres, a maximum width for its entire length of 2.6 metres.
 - [iii] For lots with a frontage of six metres to 23 metres inclusive, a maximum width for its entire length of six metres, provided the

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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.

front yard landscaping and soft landscaping requirements of §§ 330-20.5 and 330-20.6 are met.

- [iv] For lots with a frontage greater than 23 metres, a maximum width of:
 - [A] Nine metres where there are three or more side-by-side parking spaces behind the main front wall of the building; or
 - [B] Six metres where there are less than three side-by-side parking spaces; provided the front yard landscaping and soft landscaping requirements of §§ 330-20.5 and 330-20.6 are met.
- [b] Despite the minimum access driveway width of 6.0 metres required in § 330-9A, for town house dwellings where a driveway leads directly to the dwelling unit, one-family dwellings, semi-detached dwellings, and duplex dwellings, a driveway which is not located in or which does not pass

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through the front yard shall have the following dimensions:

- [i] A minimum width of 2.6 metres;
- [ii] A maximum width for its entire length of 6.0 metres.
- [c] For triplex and fourplex dwellings, 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.
- [2] Notwithstanding Subsection B(1)(b)[1], the owner of any one-family or semi-detached dwelling erected prior to April 8, 1964, 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:
 - [a] Such space does not exceed 200 square feet (18 metres) in area and 10 feet [(3) metres] in width and provided further that such space is designed having its length at right angles to the street line.

(Cont'd on page 33023)

- [b] The parking space is properly constructed and surfaced and may take the form of two (2) hard-surfaced runways.
- [c] The remainder of the front yard is used for no purpose other than sodding and/or landscaping, footpaths or otherwise permitted structures.
- [d] 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.
- (2) [Amended 1982-01-11 by By-Law No. 1982-10; 1984-06-29 by By-Law No. 1984-143] Apartment houses shall provide automobile parking spaces in accordance with the following regulations:
 - (a) Apartment houses:
 - [1] One (1) bedroom or less: one and twentyfive hundredths (1.25) spaces per dwelling unit.
 - [2] Two (2) bedrooms: one and forty-hundredths (1.40) spaces per dwelling unit.
 - [3] Three (3) bedrooms: one and fifty-five hundredths (1.55) space per dwelling unit.
 - [4] Of this number, not less than twentyhundredths (0.20) spaces per dwelling unit shall be reserved for surface visitor parking and not less than fifty-hundredths (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

twenty-five hundredths (0.25) spaces per dwelling unit, with an additional tenhundredths (0.10) spaces per dwelling unit designated for the exclusive use of visitors. [Added 1996-03-08 by By-Law No. 1996-41]

- (b) Notwithstanding the provisions of Subsection B(2)(a), a parking area provided in the rear yard shall be in excess of a landscaped area in the rear yard equal to seven and five-tenths (7.5) metres times the average width of the lot.
- (c) Subject to Subsection B(2)(a) and (b), in the case of an apartment house, 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).
- (d) All outdoor parking areas and driveways shall be curbed with permanent continuous fifteenhundredths-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 (1) space for the proprietor (and his family) and one (1) space for every two (2) lodgers or fraction thereof, except in the case of retirement homes or rest-homes where minimum off-street parking shall be one (1) space for the proprietor and one (1) space for every five (5) lodgers or fraction thereof. Subject to Subsection B(1)(b)[1] and notwithstanding § 330-18, parking in tandem on the driveway shall be permitted, and the regulations of Subsection A regarding the provision of a minimum three-metre access driveway to the side of each space shall be waived. [Amended 1981-10-05 by By-Law No. 1981-300]

§ 330-10. Parking of commercial motor vehicles. [Added 1976-02-16 by By-Law No. 3786]

- 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 (1) commercial motor vehicle on the same lot upon which his dwelling unit is located, provided that:
 - (1) Such vehicle is not in excess of one thousand (1,000) kilograms' capacity.
 - (2) 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 parking or stored in a garage or carport.

(Cont'd on page 33025)

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- (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 § 330-9 or surfaced driveway as provided under § 330-9B(1)(b)[1]. [Amended 1977-09-26 by By-Law No. 4230]
- (5) For the purposes of this section, a "vehicle of one-half (½) ton's [five hundred (500) kilograms'] capacity" shall mean a commercial motor vehicle licensed 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 licensed with the appropriate provincial authorities for a gross weight not exceeding three thousand one hundred seventy-five (3,175) kilograms. [Added 1977-05-24 by By-Law No. 4113]

§ 330-11. Parking or storage of recreational vehicles. [Added 1976-02-16 by By-Law No. 3786]

- A. No person shall, in any residential zone, use any recreational vehicle for residential occupancy nor use any lot for the parking 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 ninetenths (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 winteroriented 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 § 330-9 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.
- E. Notwithstanding the provisions of Subsections A, B, C and D, the owner or occupant of any lot used for apartment house, garden apartment, 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 regulations contained in § 330-9 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.

\$ 330-12. Reduction of lot area.

- A. No lot shall be so reduced in area, either by the conveyance or alienation of any portion thereof or otherwise, so that the remaining part of the lot does not conform to any of the requirements of this chapter.
- B. If any such reduction in lot area occurs, no building located on the lot shall thereafter be used until the floor space index and other requirements applicable thereto have been complied with.
- C. When any part of a lot is required by this chapter to be reserved as a yard or other open space, it shall continue to be so used exclusively, regardless of any change in the ownership of the lot or any part thereof, and shall not be deemed to form a part of an adjacent lot for the purpose of computing the area thereof available for building purposes.
- § 330-13. Yards. [Amended 1973-11-19 by By-Law No. 2946; 1977-10-24 by By-Law No. 4265; 1978-11-22 by By-Law No. 1978-299; 1982-01-11 by By-Law No. 1982-10]
 - A. Every part of a minimum required yard shall be open from the ground to the sky unobstructed with the following exceptions:
 - (1) An uncovered terrace, an open and roofed porchway or veranda, which has a maximum projection from the main front wall of one and six-tenths (1.6) metres.
 - (2) Chimney-breasts, steps, eaves or other projections from the main side wall of a building that are not closer than five-tenths (0.5) metre from the side lot line of the lot on which the building is located.

- (3) The construction of an uncovered terrace, veranda, porch, chimney-breast or steps, which have a maximum projection from the main rear 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, guardrail or balustrade not exceeding one hundred seven (107) centimetres in height. [Amended 1988-01-25 by By-Law No. 1988-21]
- (4) Any chimney-breast may project a maximum of fivetenths (0.5) metre into any required front yard.
- (5) Uncovered steps to grade may project into any required front yard.
- B. 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 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.

§ 330-14. Fences. [Added 1972-02-28 by By-Law No. 2281]

The following regulations shall apply to all RS, RM-1, RM-2 and RMA Districts:

A. No fence shall exceed one and nine-tenths (1.9) metres in height. Nothwithstanding the above, no fence located in a front yard or side yard abutting a street shall exceed one and zero-tenths (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 one and nine-tenths (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. [Added 1982-12-13 by By-Law No. 1982-256]
- § 330-15. Accessory structures and buildings. [Amended 1970-02-02 by By-Law No. 1499]
 - A. [Amended 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 four-tenths (0.4) metre, provided that:
 - (1) Any detached accessory structure in the rear yard shall maintain a minimum of one and zero-tenths (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 fifteen-hundredths (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. Distance of garages from lot lines.
 - (1) The distance of any garage in the rear yard from any side or rear lot line shall be a minimum of four-tenths (0.4) metre, save and except where a mutual garage is erected on the common property line between two (2) properties.
 - (2) 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 four-tenths (0.4) metre. Where entrance to the private garage or carport is from

a lane, such building shall be a minimum of four-tenths (0.4) metre from the lot line but shall be no closer than seven and five-tenths (7.5) metres from the opposite boundary of the lane.

- C. A private garage or carport must provide a minimum of eighteen (18) square metres of floor space and have a minimum width of three (3) metres.
- D. An accessory structure or building shall not exceed two and five-tenths (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 three and seven-tenths (3.7) metres, provided that no part of the walls or supporting posts shall exceed two and five-tenths (2.5) metres in height. In addition, no part of any accessory structure or building shall exceed the maximums herein provided.

E. Lot coverage.

- (1) Subject to Subsection E(2), the total lot coverage of all accessory buildings and structures shall not exceed twelve per cent (12%) of the lot area. No individual accessory building or structure shall exceed two-per-cent coverage of the lot area, except that a private garage, carport or private swimming-pool (including a pool enclosure) may cover up to ten per cent (10%) of the lot area.
- (2) Not more than thirty-five per cent (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 three-tenths (0.3) metre above the average natural ground level shall not be included in the calculation of lot coverage.

F. (Reserved)1

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

¹ Editor's Note: Former Subsection F, concerning detached garages and carports, was repealed 1985-02-11 by By-Law No. 1985-27.

provided in the first storey and basement, if any, of the building to permit the future construction of the attached garage.

- H. 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.
- I. No accessory structure shall be located closer than three
 (3) metres to a rear lot line abutting a street line.
 [Amended 1982-01-11 by By-Law No. 1982-10]
- 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 1982-01-11 by By-Law No. 1982-10]
- K. No accessory use shall take place, nor shall accessory structure or buildings be constructed, in a required front yard, and in any event not closer than seven and five-tenths (7.5) metres to the front lot line of the property.
- L. Side lot lines abutting a street. [Amended 1974-09-09 by By-Law No. 3254; 1982-01-11 by By-Law No. 1982-10]
 - (1) No accessory structure or building shall be located closer to the side lot line abutting a street line than seven and five-tenths (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 shall be one and five-tenths (1.5) metres more than the required side yard for a dwelling on the same lot.
 - (2) Notwithstanding the provisions of Subsections G and L(1), a dwelling which was erected on a corner lot prior to April 8, 1964, may locate a detached garage at a minimum distance of three (3) metres

§ 330-15

from the rear lot line and side lot line abutting a street

- 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 one and five-tenths (1.5) metres to any rear or side lot line, nor closer than three (3) metres to any rear lot line which abuts the side yard of another lot or which abuts a street. Notwithstanding the provisions of this section, outdoor swimming-pools on corner lots shall comply with the provisions of Subsection L(1). [Amended 1974-09-09 by By-Law No. 3254; 1982-01-11 by By-Law No. 1982-10]
- N. Air-conditioning units. [Amended 1973-01-08 by By-Law No. 2618; 1979-09-04 by By-Law No. 1979-219; 1979-11-26 by By-Law No. 1979-308; 1982-01-11 by By-Law No. 1982-10]
 - (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 (6) metres to the front lot line of the property.
 - (3) No central air-conditioning unit shall be located closer than one and five-tenths (1.5) metres to any side or rear lot line or closer than three (3) metres to any side or rear lot line abutting three-tenths-metre reserve or a street line.

- § 330-16. Off-street parking. [Amended 1974-01-21 by By-Law No. 3002; 1976-02-16 by By-Law No. 3786; 1981-03-09 by By-Law No. 1981-63; 1981-10-19 by By-Law No. 1981-3071
 - A. Subject to § 330-17, Handicapped automobile parking spaces, the owner or occupant of every building or structure to be erected for the purpose as listed hereafter shall provide and maintain motor vehicle parking facilities on the lot or adjacent lot in the same ownership and in a private garage or in a private parking lot to the extent at least prescribed in the schedule below for the

	respective classes of build therein.	ings or structures set out		
В.	The following is the schedule referred to:			
	Type or Nature of Building or Structure	Minimum Required Parking Facilities		
	A building not referred to in § 330-9 hereof that contains a dwelling unit in part thereof	1 parking space for each dwelling unit therein		
	A department store	1 parking space for each 46 square metres of gross shopping area therein		
	A warehouse	1 parking space for each 93 square metres of floor space therein		
	A place of assembly	1 parking space for each 10 persons comprised in a normal capacity audience or attendance		
	A groceteria, supermarket or other similar self-service establishment	1 parking space for each 28 square metres of gross shop- ping area therein		

Type or Nature of Building or Structure	Minimum Required Parking Facilities
A retail store or service shop	1 parking space for each 28 square metres of gross shopping area therein
A tavern or public house	1 parking space for each 5 persons that can be accommodated at any 1 time
An office building or bank premises	1 parking space for each 38 square metres of gross floor space
A hotel	2 parking spaces for each 3 bedrooms
Motel	1 parking space for each unit
Hospital, nursing home	1 parking space for each 28 square metres of bedroom area
Undertaking establishments [Added 1984-09-04 by By-Law No. 1984-189]	8 parking spaces per 93 square metres of gross floor area

(Cont'd on page 33033)

Type or Nature of **Building or Structure**

Minimum Required **Parking Facilities**

Restaurants [Added 1985- See § 330-43 for parking 02-11 by By-Law No. 1985-27]

requirements

Day nursery and nursery school [Added 1985-09-09 by By-Law No. 1985-211]

1 parking space for each staff member and, in instances where such use is the sole use of a site, an additional 2 spaces are to be provided and designated for delivery and pick-up only

Public garage [Added 1986-12-01 by By-Law No. 1986-2491

3 parking spaces for every 93 square metres of commercial floor space of the building

Medical centre or medical and dental offices [Added 1987-05-19 by By-Law No. 1987-971

5.5 parking spaces per 93 square metres of commercial floor area

Bowling-alley [Added 1990-07-23 by By-Law No. 1990-154]

4 parking spaces per bowling lane

Retail sales accessory to industrial building [Added 1993-06-14 by By-Law No. 1993-101] 3 parking spaces per 93 square metres of retail floor area

Manufacturing and repair uses, dairy, bakery, cartage business, fuel supply yard, industrial dry-cleaning, dyeing, laundering, in an

1 parking space for 93 square metres of gross floor area

Type or Nature of Building or Structure

Minimum Required Parking Facilities

I district [Added 1993-06-28 by By-Law No. 1993-114⁴]

Animal hospital [Added 1993-06-28 by By-Law No. 1993-114]

Elementary schools [Added 1995-01-30 by By-Law No. 1995-18]

Secondary schools [Added 1995-01-30 by By-Law No. 1995-18]

3 parking spaces for each 93 square metres of gross floor area

0.60 spaces per 100 square metres of gross floor area

1.0 spaces per 100 square metres of gross floor area

§ 330-17. Handicapped automobile parking spaces. [Added 1981-10-19 by By-Law No. 1981-307]

- A. The provisions of § 330-9 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 space(s) required may be calculated within the total number of parking spaces required under § 330-16 and shall apply to those land uses listed under § 330-16 as it applies to restaurants in I Districts, a department store, a place of

⁴ Editor's Note: This by-law also deleted from § 330-16B a former entry for "Permissible buildings in I Districts."

assembly, a groceteria, a supermarket or other self-service establishment, a retail store or service shop, a tavern or public house, an office building or bank premises, a hotel, motel, hospital or nursing home, those permitted uses specified in Articles IV, V, VI, VII, VIII and X where parking requirements under § 330-16 are applicable and restaurants as regulated by § 330-43 and defined in § 330-1. Handicapped automobile parking space(s) shall be provided as follows:

(1) Save and except hospitals, medical centres or clinics and nursing homes:

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	1	
part thereof		

(2) For hospitals, medical centres or clinics and nursing homes:

Minimum Number of

Number of Automobile Parking Spaces Required	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 50% or more.

§ 330-18. Parking lots. [Amended 1970-12-21 by By-Law No. 1876; 1976-02-16 by By-Law No. 3786; 1982-01-11 by By-Law No. 1982-10]

Where a parking lot required for a commercial use is located adjacent to an R Zone, the following regulations shall apply:

- A. Such lots shall be fenced and planted with a hedge.
- B. Such fence and landscaping shall be satisfactorily maintained.
- C. Any lights used for illumination are to be arranged so as to divert the light away from adjacent premises.
- D. A fixed wheel or bumper guard shall be provided to prevent any portion of the vehicle from parking closer than 0.9 metre to the parking station fence.
- E. No sign shall be erected thereon other than directional signs not exceeding 12 square feet (1.12 square metres) in area including the name of the proprietor.
- F. No gasoline pump or other service equipment shall be located or maintained thereon.

§ 330-19. (Reserved)⁵

§ 330-20. Lots with less than minimum frontage.

Notwithstanding any provisions of this chapter, any vacant lot in an R District which is too small to comply with the regulations of this chapter and which was owned on the ninth day of September 1959 by an owner who was not then the owner of an additional contiguous lot or parcel of land, whether vacant or otherwise, which, together with the aforesaid vacant lot, formed a parcel of land which was not too small to comply

⁵ Editor's Note: Former § 330-19, Off-street loading, as amended, was repealed 1996-12-09 by By-Law No. 1996-209.

with the regulations of this chapter, may be built upon, provided that the following conditions are complied with:

- A. The lot shall have built upon it no more than one single-family dwelling on a frontage of not less than 7.5 metres.
- B. Such single-family dwelling shall have a gross floor area not greater than the average gross floor area of the single-family dwellings on the same block of the same side of the street.
- C. No part of the building shall be closer than 0.6 metre to the side line of the lot except eaves or eavestroughs, which may extend to within 0.2 metre of the side line.
- D. Such building shall not have more than one storey above grade.⁶

§ 330-20.1. 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 § 330-15E(1) of the Zoning Code, satellite dishes and supporting structures in all residential zones shall not exceed five square metres in

⁶ Editor's Note: Original Section 13a, Development Control, which immediately followed this section and was added 1974-11-04 by By-Law No. 3402, was deleted during codification. Adopted under Section 35a of the Planning Act, R.S.O. 1970, By-Law No. 3402 is applicable to development prior to June 22, 1979, and is on file and may be examined in the office of the Borough Clerk. For current provisions regulating site plan control, see Section 40 of the Planning Act, R.S.O. 1980, and Ch. 334, Site Plan Control.

area and four metres in height, nor shall satellite dishes and supporting structures in all other zones exceed 7.3 square metres in area and four 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.

§ 330-20.2. 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 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 7.5 metres shall be required, and a minimum sideyard of 3.0 metres shall be required.
- D. Fences. No fence shall exceed 2.5 metres except if closer to the street line than the main building, in which case

- the maximum height shall be 1.2 metres. Baseball play areas shall be exempt from fence height requirements.
- E. Height. The height of the main building shall not exceed 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 33%.
- Accessory uses. Accessory uses shall be subject to the applicable standards of the zone in which the school is located.

§ 330-20.3. 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) A musement 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.

§ 330-20.4. 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 drivethrough 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 § 330-43 of the Zoning Code.

§ 330-20.5. Front yard landscaping. [Added 2006-09-27 by By-Law No. 973-2006⁵]

The following front yard landscaping provisions shall apply to town house dwellings where a driveway leads directly to the dwelling unit, single-family 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.
- 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 § 330-20.5, "landscaping" means trees, shrubs, grass, flowers, vegetables, and other vegetation, decorative stonework, walkways, patios, screening, or other horticultural or landscapearchitectural elements, or any combination of these. Landscaping does not include driveways or parking areas, and directly associated elements such as curbs or retaining walls.

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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.

§ 330-20.6. Front yard soft landscaping. [Added 2006-09-27 by By-Law No. 973-2006⁶]

The following front yard soft landscaping provisions shall apply to town house dwellings where a driveway leads directly to the dwelling unit, single-family 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 § 330-20.6, "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.

ARTICLE IV **RS Districts**

§ 330-21. Conformance required.

All buildings, structures and parts thereof erected or altered in an RS District shall conform to the regulations of this article.

§ 330-22. Permitted uses.

No building or part thereof and no land shall be used for purposes other than:

(Cont'd on page 33037)

33036.6

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.

- A. Single-family dwelling, in which only two (2) roomers or boarders may be kept.
- B. 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 § 330-15N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. [Amended 1974-05-27 by By-Law No. 3150]
- C. The office or consulting room of a physician, provided that such office is situated within a single-family dwelling used by such physician as his private residence.
- D. A park (including all accessory and customary uses).
- E. A public library.
- F. A public, separate or religious school.
- G. A church, synagogue, Sunday school or parish hall.
- H. A parking lot, incidental to any permitted use.
- I. An outdoor swimming-pool for private use.
- J. Private home day care. [Added 1975-06-23 by By-Law No. 3608]
- K. Day nursery and nursery school, provided that it is situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-211]
- L. Group homes, as defined in §§ 330-1, 330-23.1 and 330-44.1. [Added 1986-04-21 by By-Law No. 1986-90]

§ 330-23. Area requirements.

- A. Single-family. No person shall, within any RS District, erect or use any building or structure as a single-family dwelling unless the following regulations are complied with:
 - (1) Minimum lot area: three hundred seventy-one (371) square metres.

- (2) Minimum lot frontage: twelve (12) metres. [Amended 1978-11-22 by By-Law No. 1978-296]
- (3) Maximum height, main building: ten and five-tenths (10.5) metres.
- (4) Maximum height of accessory building: three and seventenths (3.7) metres.
- (5) Minimum main or ground floor area:
 - (a) One-storey building: eighty-three (83) square metres exclusive of garage.
 - (b) One-and-one-half-storey building: sixty-nine (69) square metres exclusive of garage.
 - (c) Two (2) storeys or more: forty-six (46) square metres exclusive of garage.
- (6) Minimum front yard depth: six (6) metres, except where there is an established building line, in which case that shall govern.
- (7) Minimum side yard for residential use: a width each side of nine-tenths (0.9) metre.
- (8) Minimum rear yard depth for all residential uses: seven and five-tenths (7.5) metres. Notwithstanding any part of this section to the contrary, no residential building containing four (4) or fewer dwelling units, located on a lot with a rear yard which abuts a Waterfront Zone, shall be hereafter erected or structurally altered or enlarged by additions at the rear of the building unless a minimum separation of seven and five-tenths (7.5) metres is maintained between the main rear wall of the building or any enclosed portion of the building extending beyond the main rear wall and the waterfront top-of-bank as defined in the Zoning Code. [Amended 1985-06-28 by By-Law No. 1985-162]
- (9) Maximum floor space index: thirty-five hundredths (0.35).

- (10) [Added 1990-02-19 by By-Law No. 1990-52²] Notwithstanding the provisions of Articles IV, V, VI and VII of the Zoning Code, the following regulations shall apply to the erection of single-family dwellings:
 - (a) Maximum building height of 9.5 metres to the highest point of the roof, provided that for the purpose of this section, "height" 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]
 - (b) Where the provisions of this section conflict with variances granted by the Committee of Adjustment, the provisions of these variances shall prevail.

(Cont'd on page 33039)

² Editor's Note: This by-law also provided that it shall not apply to any application for a building permit accepted and assigned a permit number prior to the enactment of the by-law.

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- B. Nonresidential buildings in RS Districts. No person shall, within any RS District, erect or use any building or structure, other than a single-family dwelling, unless the following regulations are complied with:
 - (1) Minimum lot area: eight hundred thirty-six (836) square metres.
 - (2) Minimum lot frontage: twenty-two and five-tenths (22.5) metres. [Amended 1978-11-22 by By-Law No. 1978-296]
 - (3) Maximum height, main building: ten and five-tenths (10.5) metres.
 - (4) Maximum height of accessory building: three and seventenths (3.7) metres.
 - (5) Minimum front yard depth: six (6) metres.
 - (6) Side yard: forty-five hundredths (0.45) times the lesser of the height or depth, with a minimum of four and fivetenths (4.5) metres.
 - (7) Rear yard: six-tenths (0.6) times the lesser of the height or width, with a minimum of seven and five-tenths (7.5) metres.
 - (8) Maximum floor space index: six-tenths (0.6).

§ 330-23.1. Supplementary regulations for group homes. [Added 1986-04-21 by By-Law No. 1986-90¹]

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

¹ 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 § 330-1 of the Zoning Code."

- in any two (2) semi-detached dwellings which are joined to one another, provided that the building is occupied wholly by that use.
- B. Distance between group homes. There shall be a minimum radius of eight hundred (800) metres measured from property line to property line between any two (2) group homes, as defined in § 330-1 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 § 330-9, at least one (1) on-site automobile parking space shall be provided.
- E. Minimum floor space. A minimum floor space of twentythree (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 three hundred seventy (370) square metres for any group home.
- G. Minimum rear yard. There shall be a minimum rear yard area of fourteen (14) square metres for each group home resident, but not less than one hundred sixteen (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 licenced 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.

§ 330-23.2. Supplementary regulations for churches. [Added 1988-10-31 by By-Law No. 1988-236]

- A. Permitted locations (subject to Subsection B).
 - (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

Road	From	To
Bloor Street West	Etobicoke Creek	Humber River
Beamish Drive	Dundas Street West	Bloor Street West
Brown's Line	Evans Avenue	Lakeshore Boulevard West
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 compris	se part of the Principal	Road Network of the

(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	То
Attwell Drive	Disco Road	Dixon Road
Belfield Road	Attwell Drive	Kipling Avenue

Road

Bergamot Avenue
Bethridge Road
Burnhamthorpe
Crescent
Cadmark Place
Carlingview Drive
Central Park Roadway

Cordova Avenue
Disco Road
The East Mall
East Mall Crescent
Eva Road
Evans Avenue
Farnboro Road
Fasken Drive

Gibbs Road
Holiday Drive
Horner Avenue
Humber College
Boulevard
Humberline Drive

Galaxy Boulevard

International Boulevard Lambeth Road Lawrence Avenue Loop Road¹ Martin Grove Road

Meridian Road (south leg) Morning Star Drive North Queen Street Park Lawn Road

From

Rexdale Boulevard Highway No. 27 Burnhamthorpe Road Highway No. 27 Disco Road Cordova Avenue

Dundas Street West Highway No. 427 Eglinton Avenue The East Mall The West Mall The West Mall Attwell Drive Highway No. 427 International Boulevard

Highway No. 427 The West Mall Brown's Line Finch Avenue

Albion Road

Carlingview Drive

The Kingsway Royal York Road Highway No. 27 Steeles Avenue West

Skyway Avenue

Highway No. 427 The Queensway Berry Road

То

Islington Avenue Kipling Avenue Dundas Street West

Rexdale Boulevard Highway No. 401 Islington Avenue

Islington Avenue Attwell Drive Evans Avenue Dundas Street West Highway No. 427 Royal York Road Highway No. 27 Carlingview Drive Skyway Avenue

The East Mall
Highway No. 427
Evans Avenue
John Garland Boulevard
Humber College
Boulevard
Galaxy Boulevard

Royal York Road Scarlett Road Bethridge Road Burnhamthorpe Road Highway No. 27

Woodbine Downs Kipling Avenue Lakeshore Boulevard West

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

Road	From	To
Racine Road	Martin Grove Road	Kipling Avenue
Rathburn Road	Mill Road	Islington Avenue
Richview Road	Scarlett Road	Eglinton Avenue
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	The Queensway
	Way	
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	Eglinton Avenue	Kipling Avenue
Boulevard		•
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

(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	То
Drummond Street	Dwight Avenue	Royal York Road
Dwight Avenue	Drummond Street	Lakeshore Boulevard West
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 Etobicoke Creek Twenty-Third Street West

- 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 percent (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-metrewide 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 percent (15%) of the lot area. A minimum setback of one and five-tenths (1.5) metres or one-half (½) 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.

ARTICLE V RM-1 Districts

§ 330-24. Conformance required.

All buildings, structures and parts thereof erected or altered in an RM-1 District shall conform to the regulations of this Article.

§ 330-25. Permitted uses.

No building or part thereof and no land shall be used for purposes other than:

- A. Those permitted within RS Districts.
- B. Duplex, threeplex, fourplex and semi-detached dwellings. [Amended 1974-03-07 by By-Law No. 3046]
- C. The keeping of roomers or boarders not exceeding one (1) in any dwelling unit, except a single-family dwelling where the number of roomers or boarders shall not exceed two (2).
- D. 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 § 330-15N; and such other buildings or strutures that are subordinate and customarily incidental to a dwelling, [Amended 1974-05-27 by By-Law No. 3150]
- E. Private home day care. [Added 1975-06-23 by By-Law No. 3608]
- F. Day nursery and nursery school, provided that it is situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-211]

§ 330-26. Area requirements.

A. No person shall, within any RM-1 District, erect or use any building or structure permitted in an RS District, unless the

- regulations provided under the area requirements for the RS District are complied with.
- B. No person shall, within any RM-1 District, erect or use any building or structure permitted under § 330-25B, C and D for RM-1 Districts, unless the following regulations are complied with:
 - (1) Maximum height, main building: eleven (11) metres.
 - (2) Maximum height, accessory building: three and seventenths (3.7) metres.
 - (3) Minimum floor area per dwelling unit: sixty-nine (69) square metres.
 - (4) Schedule of minimum lot area and frontage. [Amended 1980-06-23 by By-Law No. 1980-191]

	Duplex	Semi- Detached Dwellings	Threeplex Dwellings	Fourplex Dwellings
Lot area (square metres)	557	325 per unit	557	650
Lot width (metres)	15	10.5 per unit	18	21.3

(Cont'd on page 33041)



- (5) Minimum front yard depth: six (6) metres, established building line notwithstanding.
- (6) Minimum side yard width:
 - (a) Semi-detached dwellings: nine-tenths (0.9) metre.
 - (b) Duplex: one and eight-tenths (1.8) metres.
 - (c) Threeplex: three (3) metres.
 - (d) Fourplex: three and six-tenths (3.6) metres.
- (7) Minimum rear yard depth:
 - (a) All permitted dwelling types except fourplexes: seven and five-tenths (7.5) metres.
 - (b) Fourplexes: ten and five-tenths (10.5) metres.
 - (c) Notwithstanding any part of Subsection B(7)(a) and (b) to the contrary, no residential building containing four (4) or fewer dwelling units, located on a lot with a rear yard which abuts a Waterfront Zone, shall be hereafter erected or structurally altered or enlarged by additions at the rear of the building unless a minimum separation of seven and five-tenths (7.5) metres is maintained between the main rear wall of the building or any enclosed portion of the building extending beyond the main rear wall and the waterfront top-of-bank as defined in the Zoning Code. [Added 1985-06-28 by By-Law No. 1985-162]
- (8) Maximum floor space index: six-tenths (0.6).

ARTICLE VI RM-2 Districts

§ 330-27. Conformance required.

All buildings, structures and parts thereof erected or altered in an RM-2 District shall conform to the regulations of this Article.

§ 330-28. Permitted uses.

No building or part thereof and no land shall be used for purposes other than:

- A. Those permitted within RS or RM-1 Districts.
- B. Embalmers' and funeral directors' premises.
- C. 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 ten (10) square feet [one (1) square metre] of floor area; tool-sheds; patios; playhouses; central air-conditioning units subject to § 330-15N; and such other buildings structures that are subordinate and customarily incidental to a dwelling. [Amended 1974-05-27 by By-Law No. 3150]
- D. Private home day care. [Added 1975-06-23 by By-Law No. 3608]
- E. Day nursery and nursery school, provided that it is situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-211]

§ 330-29. Area requirements.

- A. No person shall, within any RM-2 District, erect or use any building or structure permitted in an RS or RM-1 District, unless the regulations provided under the area requirements for the RS District and RM-1 District are complied with.
- B. All buildings or structures erected or used within RM-2 Districts under § 330-28B and C shall comply with the requirements of RM-1 Districts and, in addition:
 - (1) Parking spaces: one (1) per five (5) chapel seats with a minimum of ten (10) parking spaces in any event.
 - (2) External appearance of buildings shall conform to the residential character of the neighbourhood.

ARTICLE VII RMA Districts

§ 330-30. Conformance required.

All buildings, structures and parts thereof erected or altered in an RMA District shall conform to the regulations of this Article.

§ 330-31. Permitted uses.

No building or part thereof and no land shall be used for purposes other than:

A. Those permitted within RS or RM-1 Districts.

(Cont'd on page 33043)

			_
			-
			_

- B. Apartment houses.
- C. Parking facilities for RMA use.
- D. Nursing home.5
- E. Lodging house. [Amended 1980-06-06 by By-Law No. 1980-177; 1981-10-05 by By-Law No. 1981-300]
- F. Children's home.
- G. Private academic, philanthropic and day nursery uses.
- H. Accessory uses and structures: private garages, carports; television antennae; private swimming-pools and structures in conjunction with such swimming-pools; and lawn and garden furnishings. Single-family, duplex, threeplex and semi-detached single-family dwellings shall be permitted the following uses in addition to the foregoing: tool-sheds; patios; playhouses; one (1) doghouse not exceeding one (1) square metre of floor area; central air-conditioning units subject to § 330-15N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. [Amended 1974-05-27 by By-Law No. 3150]
- Private home day care. [Added 1975-06-23 by By-Law No. 3608]
- J. Day nursery and nursery school, provided that it is situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-211]

§ 330-32. Area requirements.

- A. No person shall, within any RMA District, erect or use any building or structure permitted in an RS or RM-1 District, unless the area requirements provided for the RS and RM-1 Districts are complied with.
- B. [Amended 1981-10-05 by By-Law No. 1981-300] No person shall, within any RMA District, erect or use any building or structure permitted under § 330-31B, C, D, F, G and H of this Article, unless the following regulations are complied with:

- (1) Minimum lot area.
 - (a) Apartment house: six hundred ninety-six (696) square metres.
- (2) Minimum lot frontage. [Amended 1978-11-22 by By-Law No. 1978-296]
 - (a) Apartment house: twenty-two and five-tenths (22.5) metres.
- (3) Minimum side yard width.
 - (a) If the building is ten and five-tenths (10.5) metres in height or under: four and five-tenths (4.5) metres.
 - (b) If the building is over ten and five-tenths (10.5) metres in height: forty-five hundredths (0.45) times the lesser of the height or depth, with a minimum of four and five-tenths (4.5) metres.
- (4) Minimum rear yard depth: ten and five-tenths (10.5) metres.
- (5) Minimum front yard depth: six (6) metres.
- (6) Maximum height: twenty (20) metres [except that the maximum height of buildings located on 42nd Street shall be ten and five-tenths (10.5) metres].
- (7) Maximum floor space index: one and zero-tenths (1.0).
- (8) Minimum landscaped open space: twenty per cent (20%) of the lot area. [Amended 1982-01-11 by By-Law No. 1982-10]
- (9) Maximum height of accessory buildings: three and seven-tenths (3.7) metres.
- (10) Minimum floor area:
 - (a) Bachelor apartment: thirty-two and five-tenths (32.5) square metres.
 - (b) One-bedroom apartment: forty-eight (48) square metres.
 - (c) Two-bedroom apartment: sixty-five (65) square metres.

(d) Three-bedroom apartment: 81 square metres.

§ 330-33. Supplementary regulations for lodging-houses. [Added 1981-10-05 by By-Law No. 1981-300]

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.
- 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. 1978-41.7

ARTICLE VIII (Reserved)⁸

§§ 330-34 through 330-36. (Reserved)

ARTICLE IX G Districts

§ 330-37. Permitted uses.

No person shall, within any G District, use any lot or erect or use any building except for such uses as:

A. 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

⁷ Editor's Note: See Municipal Code Ch. 166, Lodging-Houses.

⁸ Editor's Note: Former Art. VIII, I Districts, consisting of §§ 330-34 through 330-36, was repealed 1996-12-09 by By-Law No. 1996-209.

areas required to support such uses. [Amended 1993-08-20 by By-Law No. 1993-142]

- B. A public playground.
- C. A playlot.
- D. Any use which is accessory to any of the foregoing uses.

ARTICLE X C-1 Districts

§ 330-38. Conformance required.

All buildings, structures and parts thereof erected or altered in the C-1 District shall conform to the regulations of this Article.

§ 330-39. Permitted uses.

No building or any part thereof and no lands shall be used for purposes other than:

- A. Wholesale or retail store confined wholly within an enclosed structure.
- B. Establishments providing the following personal services: barbering, beauty treatment, dressmaking, tailoring, shoe repairing, shoe cleaning and dry-cleaning establishments using non-combustible cleaning solvents and customer operated automatic laundries or cleaners. [Amended 1966-02-21 by By-Law No. 14/66; 1968-05-06 by By-Law No. 722]
- C. Repair shops for the following: clocks and watches, domestic appliances, electrical appliances, furniture, jewelry, plumbing and public garage. [Amended 1978-12-11 by By-Law No. 1978-336]
- D. Business or professional office, bank, medical centre or medical and dental offices. [Amended 1987-05-19 by By-Law No. 1987-97]

- E. Post office or any other government agency, police and fire station, municipal offices.
- F. Club, lodge or other similar place of public assembly.
- G. Church, church hall, Sunday school, private, public or commercial school, library.
- H. Restaurants.
 - (1) Convenience restaurant, take-out restaurant, standard restaurant. [Amended 1981-03-09 by By-Law No. 1981-63⁹]
 - (2) One 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]
- I. Theatre, billiard or pool room, dance-hall and bowlingalley. [Amended 1967-01-30 by By-Law No. 99; 1982-12-13 by By-Law No. 1982-267]
- J. Hotel, motel.
- K. Undertaking establishment.
- L. Automobile service station, parking lot, parking garage, taxicab stand, new and used car sales rooms and lots, provided that they are used only on the same lot and as a subsidiary of and in conjunction with a new car sales agency. [Amended 1978-12-11 by By-Law No. 1978-336]
- M. Apartment houses, dwelling units over a commercial use and private home day care associated with such residential use. [Amended 1975-06-23 by By-Law No. 3608; 1983-04-05 by By-Law No. 1983-74]

⁹ Editor's Note: By-Law No. 1981-63 also provided the following:

[&]quot;Notwithstanding the foregoing, 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."

- (1) Access to the dwelling units shall be from an entrance, at grade level, fronting on a street.
- N. Generally such uses as are of a like nature to any of those immediately hereinbefore set out.
- O. Lodging-house. [Added 1981-10-05 by By-Law No. 1981-300¹⁰]
- P. A maximum of two amusement devices shall be permitted for individual commercial establishments listed in Subsections A, B, H, I and J having a minimum gross floor area of 130 square metres. [Added 1982-12-13 by By-Law No. 1982-267; 1996-12-09 by By-Law No. 1996-210]
- Q. Game establishment Types A, B and C. (See the definition of "amusement device" in § 330-1.) [Added 1982-12-13 by By-Law No. 1982-267]
- R. Day nursery and nursery school. [Added 1985-09-09 by By-Law No. 1985-211]
- S. Group homes, as defined in §§ 330-1, 330-23.1 and 330-44.1. [Added 1986-04-21 by By-Law No. 1986-90]

§ 330-40. Area requirements.

- A. Maximum floor space index: 2.0.
- B. Maximum height: 20 metres.
- C. No front yard or side yard shall be required.
- D. Minimum rear yard depth:
 - (1) First floor: nil.
 - (2) Second floor: 4.5 metres.
 - (3) Upper floors: nine metres.

¹⁰ Editor's Note: This by-law also repealed By-Law No. 1980-177, which prohibited boarding, lodging- and rooming-houses.

- E. Minimum width of any building shall be 4.5 metres.
- F. Minimum width of any commercial building containing dwelling units: six metres. [Amended 1966-02-21 by By-Law No. 14/66]
- G. Notwithstanding the requirements for off-street parking in the General Regulations Article of this chapter, not less than one parking space shall be provided for each dwelling unit upon the same lot.
- H. Apartment houses shall conform with the requirements specified for apartment houses in the RMA Districts.
- I. In any commercial building, a minimum of 50% of the gross area of the street floor shall be devoted to commercial purposes.

§ 330-41. Supplementary regulations for service stations. [Added 1967-01-30 by By-Law No. 102]

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

A. Access. There shall be no vehicular access to an automobile service station site except through ramps as specified in Subsection B hereof. Not less than two such ramps shall be provided for each automobile service station site.

B. Ramps:

(1) Width of ramp: 7.5 metres measured perpendicular to the centre line of the ramp.

(Cont'd on page 33051)

- (2) Distance between ramps: minimum seven and fivetenths (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 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 an automobile service station abuts a residential zone, an area along the property limit at least three (3) metres wide shall be landscaped, and such landscaping shall be cared for and maintained.
- 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. 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.

§ 330-42. Supplementary regulations for car washes. [Added 1967-01-30 by By-Law No. 102]

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 an automobile 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-nine (39) square metres.

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°).

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 (0.15) 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 fivetenths (7.5) metres wide.
 - (b) Rear and side property limits: minimum three (3) metres wide.
 - (c) Where a property limit abuts a residentially zoned area, such property limit shall be fenced.
 - (d) 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.

§ 330-43. Supplementary regulations for restaurants. [Added 1969-07-07 by By-Law No. 1301; amended 1973-12-17 by By-Law No. 2978; 1981-03-09 by By-Law 1981-63; 1981-10-19 by By-Law No. 1981-307; 1981-10-19 by By-Law No.

(Cont'd on page 33055)

 $^{^2}$ Editor's Note: By-Law No. 1981-63 also provided the following:

[&]quot;Notwithstanding the foregoing, 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.

[&]quot;For purpose of this by-law a 'neighbourhood store' shall mean a store that serves the needs of the neighbourhood and shall include the following types of stores: general stores; clothing stores; food stores; drugstores; banks; delicatessens; barber shops; beauty salons; hardware stores; sporting goods stores; dry cleaning agencies for the receipt and delivery only of dry cleaned articles.

[&]quot;Save and except the sale of used merchandise by bona fide charitable or religious organizations on a non-profit basis all such stores shall be retail establishments selling new merchandise exclusively, and that all such business is conducted wholly within enclosed buildings.

[&]quot;Notwithstanding the above the outside display of merchandise within a distance not exceeding 1.0 m from the front line of a building is permitted subject to the following provisions:

No such outside display of merchandise shall under any circumstance encroach upon any public sidewalk nor shall the available width of any private walkway of sidewalk be reduced to less than 1.8 m as a result of such outside display.

[&]quot;For the purpose of this by-law 'coverage' shall mean that percentage of the lot area covered by the building area but excluding that portion of any building that is constructed entirely below grade and underground."

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1981-310;³ 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 §§ 330-19, 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, takeout restaurant and bar restaurant.

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

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

³ Editor's Note: By-Law No. 1981-310 also provided the following:

[&]quot;Notwithstanding the foregoing, all buildings, structures 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 No. 23/64 in accordance with the requirements and regulations applicable thereto immediately prior to the enactment of this by-law."

Standard Restaurant, Take-Out Restaurant and Bar Restaurant

Standard and take-out greater than 200 square metres

(2) Convenience restaurant.

Minimum Number of Parking Spaces

10 spaces for every 93 square metres of commercial floor space

Minimum Number Convenience Restaurant of Parking Spaces

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

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 2 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, takeout restaurant and bar restaurant.

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

5.5 spaces for every 93 square metres of commercial floor space

7 spaces for every 93 square metres of commercial floor space

8.5 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

5.5 spaces for every 93 square metres of commercial floor space

9 spaces for every 93 square metres of commercial floor space

12 spaces for every 93 square metres of commercial floor space

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 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 external signage. Restaurants or 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 § 330-43F(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 room, 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 features 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 said lane shall not be less than three (3) metres, and the minimum depth per vehicle shall not be less than six (6) metres. 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 seven and three-tenths (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 ninety (90) metres from a property zoned residential.

- H. Fencing. Where a restaurant site abuts a residential zone, 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 (1) receptacle per five (5) 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 (1) 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 one hundred twelve (112) square metres shall be licensed by the Liquor License Act of Ontario.
- L. No food vending cart shall be located closer than three (3) 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 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:

- 8 330-4
- [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.

§ 330-44. Supplementary regulations for lodging-houses. [Added 1981-10-05 by By-Law No. 1981-300]

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.
- 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 the 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.

33058.5

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¹ Editor's Note: See Municipal Code Ch. 166, Lodging-Houses.

§ 330-44.1. Supplementary regulations for group homes. [Added 1986-04-21 by By-Law No. 1986-90²]

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.
- B. Distance between group homes. There shall be a minimum radius of 800 metres measured from property

(Cont'd on page 33059)

33058.6

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² Editor's Note: This by-law also provided that "for the purpose of this by-law, the following definition shall apply: 'Floor Space' shall mean the total gross floor area of a dwelling as defined in § 330-1 of the Zoning Code."

line to property line between any two (2) group homes, as defined in § 330-1 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 § 330-9, at least one (1) on-site automobile parking space shall be provided.
- E. Minimum floor space. A minimum floor space of twentythree (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 three hundred seventy (370) square metres for any group home.
- G. Minimum rear yard. There shall be a minimum rear yard area of fourteen (14) square metres for each group home resident, but not less than one hundred sixteen (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 licenced 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.

§ 330-44.2. Supplementary regulations for churches. [Added 1988-10-31 by By-Law No. 1988-236]

- A. Permitted locations (subject to Subsection B).
 - (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); and
 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	То
Queen Elizabeth Way Highway No. 27	Etobicoke Creek Eglinton Avenue West	Humber River 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

Road	From	То
Beamish Drive	Dundas Street West	Bloor Street West
Brown's Line	Evans Avenue	Lakeshore Boulevard West
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	То
Attwell Drive	Disco Road	Dixon Road
Belfield Road	Attwell Drive	Kipling Avenue
Bergamot Avenue	Rexdale Boulevard	Islington Avenue

Road	From	То
Bethridge Road	Highway No. 27	Kipling Avenue
Burnhamthorpe Circle	Burnhamthorpe Road	Dundas Street West
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 Boulevard	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 Boulevard
Humberline Drive	Albion Road	Humber College Boulevard
International Boulevard	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

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

Road	From	То
Racine Road	Martin Grove Road	Kipling Avenue
Rathburn Road	Mill Road	Islington Avenue
Richview Road	Scarlett Road	Eglinton Avenue
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	Eglinton Avenue	Kipling Avenue
Boulevard		
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	То
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)

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ETOBICOKE ZONING CODE

§ 330-44.2

Road	From	То
Drummond Street Dwight Avenue	Dwight Avenue Drummond Street	Royal York Road Lakeshore Boulevard West
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	То
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	То
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 Etobicoke Creek Twenty-Third Street West

- 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 percent (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 percent (15%) of the lot area. A minimum setback of one and five-tenths (1.5) metres or one-half (½) 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.

ARTICLE XI Administration and Enforcement

§ 330-45. Flood levels.

- A. A building with frontage on 42nd Street between the north boundary of Hilo Road and the south boundary of Lakeshore Boulevard West shall not contain a habitable room with a floor at a lower elevation than seventy-seven and seven-tenths (77.7) metres above sea level.
- B. A building with frontage of 43rd Street north of Lakeshore Boulevard West shall not contain a habitable room with a floor at a lower elevation than seventy-nine and eight-tenths (79.8) metres above sea level.¹³

§ 330-46. Repealer.

Upon the coming into force of this By-Law No. 23/64, previous By-Law Nos. 1771, 1793, 1800, 1807 and 1926 be and the same are hereby repealed without prejudice to any action theretofore taken thereunder.

§ 330-47. Effective date. [Amended 1982-01-11 by By-Law No. 1982-10]

This chapter shall come into effect upon the date of passing hereof.

¹³ Editor's Note: Original Section 22, Certificates of Occupancy, which immediately followed this section, was repealed 1982-01-11 by By-Law No. 1982-10. Original Section 23, Contravention, as amended 1977-03-14 by By-Law No. 4056, was superseded during codification. For current penalties for offences, see Ch. 300.