

ZONING BY-LAW

Chapter 350

ZONING BY-LAW

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[HISTORY: Adopted by the Municipal Council of the Corporation of the Town of New Toronto 1959-09-09 as By-Law No. 2215. Amendments noted where applicable.]

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.
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Storage of used vehicles — See Ch. 250.
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ARTICLE I Interpretation and Definitions

§ 350-1. Interpretation of provisions.

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

§ 350-2. Scope.

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

¹ Editor's Note: Amendments made by By-Law No. 1979-306 are included in the text of this chapter; however, historical data for this by-law is not given. By-Law No. 1979-306, adopted 1979-11-26, provided for the conversion of the imperial measurements in this chapter into metric equivalents. Such amendments are too numerous to cite individually.

enlarged or maintained within the territorial limits of the Town of New Toronto, as now or hereafter legally constituted, except in conformity with the provisions of this chapter.

§ 350-3. (Reserved)²

§ 350-4. Statement of measurement. [Added 1980-04-28 by By-Law No. 1980-132]

- 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 places of decimals.

**ARTICLE II
Zoning Districts**

§ 350-5. Conformance required.

No person shall, within any use district delineated on the attached Zoning Map, which forms part of this chapter,³ use any land, building or structure or erect, use or maintain any building or structure except in conformity with the provisions of this chapter which govern that use district.

§ 350-6. Districts established. [Amended 1991-02-04 by By-Law No. 1991-27; 1996-12-09 by By-Law No. 1996-209]

The following use districts are established:

² Editor's Note: Former § 350-3, Definitions, as amended, was repealed 1996-12-09 by By-Law No. 1996-210. See now § 304-3.

³ Editor's Note: See Ch. 351, Zoning Maps.

R1	Residential, First Density
R2	Residential, Second Density
R3	Residential, Third Density
R4	Residential, Fourth Density
C	Commercial
G	Parks District
I	Institutional and Public
MU	Mixed Use
MU-H	Mixed Use Holding

§ 350-7. Zoning Map.

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

§ 350-8. Zone boundaries.

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

- A. Streets or lanes. The zone boundaries are either streets or lanes unless otherwise shown, and where the indicated boundaries on the Zoning Map are approximately streets or lanes, said streets or lanes shall be construed to be the zone boundaries.
- B. Lot lines. Where the zone boundaries are not shown to be streets or lanes and where the property has been or may here after be divided into blocks and lots, the zone boundaries shall be construed to be lot lines, and where the indicated boundaries on the Zoning Map are approximately lot lines, said lot lines shall be construed to be the zone boundaries unless said boundaries are otherwise indicated on the map.

- C. Symbol of zone. Where one symbol is used on the Zoning Map to indicate the zone classification of an area divided by a line or lines, said symbol shall establish the classification of the whole of such area.
- D. Street or right of way allocation or division. A street, lane, railroad or railway right of way, electrical transmission line right of way or watercourse included on the Zoning Map shall, unless otherwise indicated, be included within the zone of adjoining property on either side thereof, and where such street, lane, right of way or watercourse serves as a boundary between two or more different zones, a line midway in such street, lane, right of way or watercourse and extending in the general direction of the long dimension thereof shall be considered the boundary between zones.
- E. Closed street or lane. In the event a dedicated street or lane shown on the Zoning Map is closed, the property formerly in said street or lane shall be included within the zone of the adjoining property on either side of said closed street or lane. In the event said street or lane was a zone boundary between two or more different zones, the new zone boundary shall be the former centre line of said closed street or lane.

§ 350-8.1. 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.

§ 350-8.2. Regulation of definitions. [Added 1996-12-09 by By-Law No. 1996-210]

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

ARTICLE III
General Provisions

**§ 350-9. Nonconforming buildings and uses. [Amended
1982-01-11 by By-Law No. 1982-12]**

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 a purpose not permissible within the zone in which it is located shall not be enlarged, extended, reconstructed or otherwise structurally altered, unless such building is thereafter to be used for a 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 50% or more of its value (exclusive of walls below grade) as at the date of the damaged 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 building or structure which is damaged by causes beyond the control of the owner subsequent to the date of enactment hereof,

provided that the residual value of such building or structure exceeds 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 hereof, 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. 1982-257]

- (1) Lawful nonconforming buildings.
 - (a) Any building which is so located as to violate any yard 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. 1982-257]

- (1) Buildings on lawful nonconforming lots. Any lot, as defined under § 350-3B, 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]

§ 350-10. Public services and utilities.

Notwithstanding anything contained in this chapter, the Town of New Toronto 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 Town of New Toronto, any department of the Dominion or Provincial Government, including the Hydro-Electric Power Commission of the Province of Ontario, may, for the purposes of public service, use any land or erect or use any building or structure in any use district notwithstanding that the proposed use does not conform to the provisions of this chapter for such a 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.

§ 350-11. Conversion of buildings to multiple-family dwellings. [Amended 1960-02-26 by By-Law No. 2228]

In any R2, R3 and R4 District, a building which has been erected for a period of not less than 20 years measured at the date of the passing of this chapter and which has more than 139 square metres of total gross floor area, exclusive of a cellar, may be converted to a multiple-family dwelling or apartment, provided that all respective and applicable provisions of this chapter are complied with, except as provided for hereafter:

- A. The frontage, depth and area of the lot or parcel of land on which the respective building is located shall be as they existed at the date of the passing of this chapter.
- B. The maximum gross floor area of the respective building shall be as set out for R2, R3 or R4 Districts respectively.
- C. Each of the dwelling units in the respective building after conversion shall have a minimum total floor area of forty-six

(Cont'd on page 35025)

(46) square metres, exclusive of public or common halls and stairways.

- D. The minimum landscaped open space on the respective lot or parcel of land shall be thirty-five per cent (35%) of the total lot area.
- E. There shall be provided on the lot one (1) parking space per dwelling unit in the converted dwelling plus one (1) space for every four (4) dwelling units or fraction thereof.

§ 350-12. Reduction of lot area.

- A. No lot shall be so reduced in area, whether by conveyance or alienation of any portion thereof or otherwise, in such manner that any of the provisions and regulations of this chapter are not complied with.
- B. Where any such lot is so reduced in area that any of the provisions and regulations of this chapter are not complied with, no building or structure on any such lot shall be occupied or used unless and until the provisions and regulations of this chapter applicable thereto are complied with.

§ 350-13. Yard encroachments; projections. [Amended 1973-11-19 by By-Law No. 2948]

Every part of a minimum required yard shall be open from the ground to the sky unobstructed, with the following exceptions:

- A. 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. Other than supporting columns having a maximum width and depth of thirty-three (33) centimetres, the only enclosure permitted shall be a wall, guard-rail or balustrade not exceeding one hundred seven (107) centimetres in height. [Amended 1988-01-25 by By-Law No. 1988-21]
- B. 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.

- C. The construction or location of any 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, guard-rail or balustrade not exceeding one hundred seven (107) centimetres in height. [Amended 1988-01-25 by By-Law No. 1988-21]
- D. Any chimney-breast may project a maximum of eighteen (18) inches [five-tenths (0.5) metre] into a required front yard. [Added 1978-11-22 by By-Law No. 1978-298]
- E. Uncovered steps to grade may project into any required front yard. [Added 1978-11-22 by By-Law No. 1978-298]

§ 350-14. Accessory structures and buildings. [Amended 1970-02-02 by By-Law No. 1498]

- A. [Amended 1973-11-19 by By-Law No. 2948; 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 five-tenths (0.5) metre, provided that:
 - (1) Any detached accessory structure in the rear yard shall maintain a minimum of one and zero-tenths (1.0) metre separation between any part of the accessory structure and any part of the main building.
 - (2) Overhang projections (including eavestroughs) from the main side or rear walls 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 five-tenths (0.5) 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 five-tenths (0.5) metre. Where entrance to the private garage or carport is from a lane, such building shall be a minimum of five-tenths (0.5) 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 provided in the first storey and basement, if any, of the building to permit the future construction of the attached garage.

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

- 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 or a three-tenths-metre reserve. [Amended 1982-01-11 by By-Law No. 1982-12]
- J. The vertical supports for the roofs of carports shall be of 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. 1982-12]
- 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 or reserve. [Amended 1974-09-09 by By-Law No. 3253; 1982-01-11 by By-Law No. 1982-12]
 - (1) No accessory structure or building shall be located closer to the side lot line abutting a three-tenths-metre reserve or a street line than 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 or a three-tenths-metre reserve 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) of this section, a dwelling which was erected on a corner lot prior to September 9, 1959, may locate a detached garage at a minimum distance of three (3) metres 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 or three-tenths-metre reserve. Notwithstanding the provisions of this section, outdoor swimming-pools on corner lots shall comply with the provisions of Subsection L(1). [Amended 1974-09-09 by By-Law No. 3253; 1982-01-11 by By-Law No. 1982-12]

N. Air-conditioning units. [Amended 1973-01-08 by By-Law No. 2616; 1979-09-04 by By-Law No. 1979-218; 1979-11-26 by By-Law No. 1979-306; 1982-01-11 by By-Law No. 1982-12]

- (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 a three-tenths-metre reserve or a street line.

§ 350-15. Fences. [Added 1972-02-28 by By-Law No. 2283]

The following regulations shall apply in R-1, R-2, R-3 and R-4 Districts:

- A. No fence shall exceed one and nine-tenths (1.9) metres in height. Notwithstanding 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. 1982-257]

§ 350-16. Visibility at intersections.

On a corner lot within the triangular space formed by the street lines for a distance of 12 metres from their point of intersection, no shrubs or hedge shall be planted or maintained and no fence which would obstruct vision shall be erected or maintained.

§ 350-17. Rebuilding of dwellings in R Districts.

Notwithstanding any provision of this chapter, the owner of a dwelling house in any R District may demolish it and rebuild upon the same lot one single-family dwelling house, provided that the following regulations are complied with:

- A. The minimum lot frontage shall be seven metres or the frontage of the lot, whichever is the greater. [Amended 1962-07-16 by By-Law No. 2296]
- B. The minimum lot area shall be 167 square metres. [Amended 1962-07-16 by By-Law No. 2296]
- C. The maximum gross floor area of the building shall be 40% of the total area of the lot.
- D. The minimum building set-back shall be in accordance with the established front yard depth as defined in § 350-3, provided that where there is no established front yard depth, the minimum building set-back shall be 4.5 metres. [Amended 1962-07-16 by By-Law No. 2296]
- E. The minimum side yard width shall be 0.6 metre on each side on frontages of not more than nine metres, and the

minimum side yard width shall be 0.9 metre on each side on frontage over nine metres. [Amended 1962-07-16 by By-Law No. 2296]

F. One parking space shall be provided.

§ 350-18. Small vacant lots in R Districts. [Amended 1962-07-16 by By-Law No. 2296]

Notwithstanding any provision of this chapter, any isolated vacant lot of less than 7.5 metres' frontage in an R District, which, on the date this chapter is passed, is assessed separately from the adjacent lots already occupied by buildings, may be built on with one single-family dwelling house only, provided that each of the regulations as set out in § 350-17 preceding shall apply thereto and shall be complied with.

§ 350-19. (Reserved)¹

§ 350-20. Front yard set-back in R and C Districts. [Amended 1960-08-17 by By-Law No. 2244]

Where the proposed building or structure is to be erected on an interior lot between existing buildings or structures which are not more than 15 metres distant from the respective side lot lines of the lot, the minimum building set-back shall be in accordance with the established front yard depth as defined in § 350-3.

¹ Editor's Note: Former § 350-19, Habitable rooms in cellars, was repealed 2000-07-06 by By-Law No. 871-1999.

**§ 350-21. Parking in residential areas. [Amended
1960-08-17 by By-Law No. 2244²]**

- A. No parking is to be permitted within three metres of a window to a habitable room.
- B. Where a parking lot is wholly or partly located in a residential district, the following regulations shall apply:
 - (1) Such a lot shall be fenced and planted with a hedge.
 - (2) Such a fence and hedge shall be satisfactorily maintained.

(Cont'd on page 35031)

² Editor's Note: By-Law No. 2244 also repealed original Section 6.14, Off-Street Loading, which immediately followed this section, and that part of original Schedule A of By-Law No. 2215 entitled "Loading Standards for Commercial and Industrial Uses."



- (3) Any lights used for illumination are to be arranged to divert the light away from adjacent residential premises.
- (4) No building, other than one (1) shelter not exceeding one (1) storey in height or four and five-tenths (4.5) square metres in area for attendants, shall be erected thereon.
- (5) Any sign erected thereon is to be no more than twelve (12) square feet [one and twelve-hundredths (1.12) square metres] in area.
- (6) No gasoline pump or other service equipment shall be located or maintained thereon.

§ 350-22. (Reserved)¹

**§ 350-23. Supplementary regulations for service stations.
[Added 1967-01-30 by By-Law No. 101]**

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 a service station, except in accordance with the following regulations:

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

¹ Editor's Note: Former § 350-22, Off-street parking, amended 1960-08-17 by By-Law No. 2244; 1962-07-16 by By-Law No. 2296; 1976-02-16 by By-Law No. 3784, was repealed 1985-02-11 by By-Law No. 1985-28.

- (2) Distance between ramps: minimum seven and five-tenths (7.5) metres measured along the street line.
 - (3) Locations of ramps. No ramp shall be closer to an intersection of two (2) streets than three (3) metres (measured along the street line) from the tangent point of a street line to the corner arc of an intersection street. In no event shall any ramp be located closer than ten and five-tenths (10.5) metres (measured along the street line and its projection) to the intersection of such street line or its projection with another street line or its projection, nor closer than three (3) metres to any other property line which the ramp does not intersect.
 - (4) Angle of intersection with street line. The sides of a ramp may intersect the street line at an angle less than ninety degrees (90°) but not at an angle less than sixty degrees (60°).
 - (5) Junction with travelled portion of street. No ramp may intersect a line drawn by projecting the property limit across the travelled portion of the street.
- C. Pump island set-back: minimum six (6) metres from street line.
- D. Landscaping. Where a service station abuts a residential zone, an area along the property limit at least three (3) metres wide shall be 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.

§ 350-24. Supplementary regulations for car washes.
[Added 1967-01-30 by By-Law No. 101]

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

A. Ramps: ingress and egress only.

- (1) Ramps shall be entirely separate from any other garage facility.
- (2) In the case of one (1) wash-rack, the ramp shall not exceed six (6) metres in width measured perpendicular to the centre line of the ramp where the prolongation of the centre line intersects the street line. In the case where more than one (1) rack is served, the ramp shall not exceed nine (9) metres in width measured along the street line.
- (3) No ramp, whether for one-way or two-way traffic, shall exceed nine (9) metres in width.

- (4) Ramps shall not be less than seven and five-tenths (7.5) metres apart measured along the street line.
- (5) Entrance and exit ramps shall be not closer than forty-five (45) metres and ten and five-tenths (10.5) metres respectively, when measured along the street line, from the intersection of two (2) street lines [in the case of a radius from the projected intersection of the two (2) street lines] nor closer than three (3) metres to any other property limit, nor cross the projections of the property limits at the travelled portion of road allowance.
- (6) The sides of a ramp may intersect the street line at an angle less than ninety degrees (90°) but not at an angle less than sixty degrees (60°).

B. Vehicle waiting line.

- (1) Vehicle waiting lines shall be provided on the building lot to accommodate not less than thirty (30) vehicle spaces for each wash-rack, and each vehicle space shall be not less than six and five-tenths (6.5) metres long nor less than three (3) metres wide. Not more than two (2) waiting lines shall be permitted for each wash-rack.
- (2) The minimum inside radius for a vehicle waiting line shall be six (6) metres, and each line shall have not more than two (2) turning radii.
- (3) Waiting lines shall be not less than three (3) metres wide when measured from one lane divider to another.

C. Location of wash-rack terminus. The point at which the cars leave the wash-rack shall be not closer than nine (9) metres from the exit door, and the exit door shall not be closer than nine (9) metres from the street line, provided that the building set-back requirements of this chapter are satisfied where those requirements are in excess of nine (9) metres.

- D. Steam-hoses. No cleaning operations of any sort shall be carried on outside the building.
- E. Paving and curbing. All ramps, waiting lines, circulation areas and parking areas shall be paved with concrete or asphalt. Permanent continuous curbing fifteen-hundredths (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 five-tenths (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

forementioned items shall not exceed twenty (20) square metres.

§ 350-25. Supplementary regulations for restaurants.
[Added 1969-07-07 by By-Law No. 1300;
amended 1981-03-09 by By-Law No. 1981-62;²
1981-10-19 by By-Law No. 1981-308; 1981-10-19
by By-Law No. 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,

² Editor's Note: By-Law No. 1981-62 also provided as follows:

"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.

"For the 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; drug stores; banks; delicatessens; barber shops; beauty salons; hardware stores; sporting goods stores; dry cleaning agencies for the receipt and delivery only of dry cleaned articles.

"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.

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

"For the purpose of this by-law 'Floor Space Index' shall mean the ratio of the gross floor area of the building to the area of the lot."

³ Editor's Note: By-Law No. 1981-310 provided as follows:

"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 Number 2215 in accordance with the requirements and regulations applicable thereto immediately prior to the enactment of this by-law."

enlarged or maintained for the purpose of a restaurant, except in accordance with the following regulations:

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

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

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

**Minimum Number
of Parking Spaces**

Not exceeding 150 square metres

3 spaces for every 93 square metres of commercial floor space

Greater than 150 square metres but not exceeding 175 square metres

5 spaces for every 93 square metres of commercial floor space

Greater than 175 square metres but not exceeding 200 square metres

8 spaces for every 93 square metres of commercial floor space

Standard and take-out greater than 200 square metres

10 spaces for every 93 square metres of commercial floor space

Bar restaurant greater than 200 square metres

12 spaces for every 93 square metres of commercial floor space

- (2) Convenience restaurant.

(Cont'd on page 35037)

Convenience Restaurant	Minimum Number of Parking Spaces
Not exceeding 150 square metres	3 spaces for every 93 square metres of commercial floor space
Greater than 150 square metres but not exceeding 175 square metres	7 spaces for every 93 square metres of commercial floor space
Greater than 175 square metres but not exceeding 200 square metres	11 spaces for every 93 square metres of commercial floor space
Greater than 200 square metres	15 spaces for every 93 square metres of commercial floor space

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

(1) Standard restaurant and takeout restaurant.

Standard Restaurant, Take-Out Restaurant and Bar Restaurant	Minimum Number of Parking Spaces
Not exceeding 150 square metres	5.5 spaces for every 93 square metres of commercial floor space
Greater than 150 square metres but not exceeding 175 square metres	7 spaces for every 93 square metres of commercial floor space
Greater than 175 square metres but not exceeding 200 square metres	8.5 spaces for every 93 square metres of commercial floor space

**Standard Restaurant,
Take-Out Restaurant
and Bar Restaurant****Minimum Number
of Parking Spaces**

Standard and take-out
greater than 200 square
metres

10 spaces for every 93
square metres of
commercial floor space

Bar restaurant greater
than 200 square metres

12 spaces for every 93
square metres of
commercial floor space

(2) Convenience restaurant.**Convenience Restaurant****Minimum Number
of Parking Spaces**

Not exceeding 150 square
metres

5.5 spaces for every 93
square metres of
commercial floor space

Greater than 150 square
metres but not exceeding
175 square metres

9 spaces for every 93
square metres of
commercial floor space

Greater than 175 square
metres but not exceeding
200 square metres

12 spaces for every 93
square metres of
commercial floor space

Greater than 200 square
metres

15 spaces for every 93
square metres of
commercial floor space

C. Notwithstanding the foregoing, the parking requirement for restaurants in operation on or before the date of passage of this By-Law No. 1981-60, and bar restaurants in operation as of the date of the passage of By-Law 1993-97, shall be as follows:

- (1) In CL, CN, CG and CPP zoning categories: three (3) spaces per ninety-three (93) square metres of commercial floor space for the first one hundred fifty (150) square metres of commercial floor space.

- (2) In CP Regional, CP Local, IC-1, IC-2 and IC-3 zoning categories: five and five-tenths (5.5) spaces per ninety-three (93) square metres of commercial floor space for the first one hundred fifty (150) square metres of commercial floor space.
 - (3) The parking requirements for that portion of the restaurant which exceeds one hundred fifty (150) square metres in commercial floor space shall be as set out in Subsections A and B.
- D. Notwithstanding the foregoing, the parking requirement for a restaurant 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 access or external signage. Restaurants or bar restaurants in covered malls shall not be considered ancillary uses unless such restaurants are wholly contained within another retail establishment in the covered mall. Bar restaurants, located in the foregoing establishments, shall also be subject to § 350-25F(1) of this chapter.
- E. None of the foregoing parking requirements shall apply to restaurants, including bar restaurants, which locate in hotels; where applicable, beverage rooms, cocktail lounges and taverns located within hotels shall continue to be subject to § 320-18C(3)(e).
- F. The following regulations shall apply to restaurants which feature drive-through windows. (For the purpose of this section, a "drive-through window" shall mean any facility which enables the customer to order and collect food from the automobile for consumption elsewhere than within the restaurant building.)

- (1) One (1) stacking lane, in addition to the required parking as set out in Subsections A and B, shall be provided in advance of the pick-up window, to accommodate a minimum of ten (10) vehicles. The minimum width of 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 areas, live bands, disc jockeys, entertainment areas, 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, a one-and-eight-tenths-metre-high metal or wood screen fence shall be installed along the boundary of the property line.

I. Lighting. All lighting fixtures and free-standing illuminated signs on restaurant or bar restaurant sites shall be arranged so as to be oriented away from neighbouring residential properties.

J. Waste receptacles.

- (1) Convenience and take-out restaurants shall supply waste receptacles at a ratio of one (1) receptacle per

five parking spaces, and they shall meet the following requirements:

- (a) The receptacle shall be enclosed in a concrete, wood, metal, plastic or other suitable impervious material.
 - (b) The receptacle enclosure shall be anchored to the ground.
- (2) The operator of a food vending cart shall be required to maintain one waste receptacle, which receptacle shall be enclosed in concrete, wood, metal, plastic or other suitable impervious material. **[Added 1994-08-19 by By-Law No. 1994-139]**
- K. No building, structure or part thereof used as a restaurant or bar restaurant with a commercial floor area of less than 112 square metres shall be licenced by the Liquor Licence Act of Ontario.
- L. No food vending cart shall be located closer than three metres to any street line, and such food vending cart shall be located on the paved portion of the property. **[Added 1994-08-19 by By-Law No. 1994-139]**
- M. Outdoor patios in side yards or rear yards used in association with standard restaurants which do not include a dancing area, live bands, disc jockey, entertainment area, floor show or adult entertainment shall be situated not closer than 40 metres (135 feet) from a property zoned residential, that distance to be measured from the closest point between the patio and the nearest lot line of the residential zone. **[Added 1995-11-13 by By-Law No. 1995-208]**
- N. Customer dining facilities of up to five seats shall be permitted in retail stores, beverage stores, bakeries and dairies. **[Added 1996-12-09 by By-Law No. 1996-210]**
- O. Restaurants, bar restaurants and banquet halls, except those in R3 or R4 Zones in New Toronto, 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:
 - [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.

§ 350-26. Automobile parking space. [Added 1976-02-16 by By-Law No. 3784]

- A. There shall be provided, for any building in any zone, an area for automobile parking located on the same lot with said building. This area shall contain individual automobile parking spaces and adequate provisions for access to a street or public lane from each individual parking space unimpeded by any other parking space shall be provided. The minimum parking space dimensions shall be as follows: **[Amended 1982-01-11 by By-Law No. 1982-12; 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. 973-2006¹; 2007-05-25 by By-Law No. 497-2007]**
 - (1) The minimum dimensions of a parking space, accessed by a one-way or two-way drive aisle having a width of 6.0 metres or more measured at the entrance to the parking space, shall be:
 - (a) Length: 5.6 metres;
 - (b) Height: 2.0 metres;
 - (c) Width: 2.6 metres;

¹ Editor's Note: This by-law was approved as passed by the Ontario Municipal Board 2007-06-29 by Order No. 1820, with exceptions for certain properties. A copy of Order No. 1820 of the Ontario Municipal Board is on file with By-Law No. 973-2006 in the City offices.

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

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

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

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

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

(5) Every parking space shall have a minimum unobstructed vertical clearance of 2.0 metres for the entire length and width of the parking space.

(6) Despite § 350-26A(1) to (5) above:

(a) Where a site-specific amendment to the Etobicoke Zoning Code, as amended, has been passed by Council between January 1, 2003 and April 30, 2007, or is the result of an Order of the Ontario Municipal Board respecting an appeal filed between January 1, 2003 and April 30, 2007, which specifies parking space dimensions, the minimum parking space dimensions shall be in accordance with the amending by-law that has come into force; or

(b) Where a site-specific amendment to the Etobicoke Zoning Code, as amended, has been passed by Council between January 1, 2003 and April 30, 2007, or is the result of an Order of the Ontario Municipal Board respecting an appeal filed between January 1, 2003 and April 30, 2007, which does not specify parking space dimensions, the minimum parking space dimensions shall be: 2.7 metres in width and 6.0 metres in length, except for parking spaces in tandem which shall be a minimum of 2.7 metres in width and 6.7 metres in length.

B. Residential. Automobile parking space shall be provided in accordance with the following regulations:

(1) One-family, semi-detached, duplex and triplex dwellings. **[Amended 1977-09-26 by By-Law No. 4229]**

(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 dwelling is accessible by means of a minimum two-and-four-tenths-metre-wide driveway. **[Amended 2006-09-27 by By-Law No. 973-2006²]**

- (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, §§ 350-27 and 350-28 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. 973-2006³]**

[a] Despite the minimum access driveway width of 6.0 metres required in § 350-26A, 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.

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

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.

- [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 6 metres, provided the front yard landscaping and soft landscaping requirements of §§ 350-30.8 and 350-30.9 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 §§ 350-30.8 and 350-30.9 are met.
- [b] Despite the minimum access driveway width of 6.0 metres required in § 350-26A, 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 through the front yard shall have the following dimensions:

- [i] A minimum width of 2.6 metres;
and
 - [ii] A maximum width for its entire
length of 6.0 metres.
 - [c] For triplex 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 September 9,
1959, 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 18 square
metres in area and three metres in
width and provided further that such
space is designed having its length at
right angles to the street line.
 - [b] The parking space is properly
constructed and surfaced and may
take the form of two hard-surfaced
runways.

(Cont'd on page 35040.3)

[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 1984-06-29 by By-Law No. 1984-142]**
Apartment houses and maisonettes shall provide automobile parking spaces in accordance with the following regulations:

(a) Apartment houses:

- [1] One bedroom or less: 1.25 spaces per dwelling unit.
- [2] Two bedrooms: 1.40 spaces per dwelling unit.
- [3] Three bedrooms: 1.55 spaces per dwelling unit.
- [4] Of this number, not less than twenty-hundredths (0.20) parking 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 ten-hundredths (0.10) spaces per dwelling unit designated for the exclusive use of visitors.

**[Added 1996-03-08 by By-Law No.
1996-41]**

- (b) Maisonettes. At least 1.60 automobile parking spaces per dwelling unit shall be provided. Of this number not less than twenty-hundredths (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.

(Cont'd on page 35041)

- (c) Notwithstanding the provisions of § 350-26B(2)(a) and (b), any parking area provided in the rear yard shall be in excess of a landscaped area in the rear yard equal to 7.5 metres times the average width of the lot.
 - (d) Subject to Subsection B(2)(a), (b) and (c), in the case of an apartment house or maisonette, any surface parking shall be no closer to any street line than the nearest main wall of the main building to the said street line(s).
 - (e) All outdoor parking areas and driveways shall be curbed with permanent continuous fifteen-hundredths-metre curbing and paved with hot mix asphalt or concrete.
- (3) Lodging-house. Minimum off-street parking shall be provided on the basis of one space for the proprietor (and his family) and one space for every two lodgers or fraction thereof, except in the case of retirement homes or rest-homes where minimum off-street parking shall be one space for the proprietor and one space for every five lodgers or fraction thereof. Subject to Subsection B(1)(b)[1], 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. 1981-299]**
- (4) Institutional uses. **[Added 1982-01-11 by By-Law No. 1982-12 ⁴]**
- (a) Church or place of assembly: one parking space for each 10 people that can be accommodated at any one time.

⁴ Editor's Note: By-Law No. 1982.12 also repealed that part of original Schedule A of By-Law No. 2215, entitled "Parking Standards for Institutional Uses," as amended 1960-08-17 by By-Law No. 2244; 1974-01-21 by By-Law No. 3004; 1976-02-16 by By-Law No. 3784; 1981-10-19 by By-Law No. 1981-308; and 1981-03-09 by By-Law No. 1981-62.

- (b) Library: total parking space equal to total ground floor area of the building with a minimum of six spaces.
- (c) Hospital: one parking space for each 46.5 square metres of gross floor area.
- (d) Elementary schools: 0.60 spaces per 100 square metres of gross floor area: **[Added 1995-01-30 by By-Law No. 1995-18]**
- (e) Secondary schools: 1.0 spaces per 100 square metres of gross floor area: **[Added 1995-01-30 by By-Law No. 1995-18]**
- (5) Residential units in a Commercial Zone where the commercial use occupies more than 25% of the total gross floor area of the building: one parking space per unit plus one additional parking space for every four units or part thereof. **[Added 1982-01-11 by By-Law No. 1982-12]**
- (6) Day nursery and nursery school: one parking space for each staff member and, in instances where such use is the sole use of a site, an additional two spaces are to be provided and designated for delivery and pick-up only. **[Added 1985-09-09 by By-Law No. 1985-210]**
- (7) Public garage: three parking spaces for every (93) square metres of commercial floor space of the building. **[Added 1986-12-01 by By-Law No. 1986-251]**
- (8) Medical centre or medical and dental offices: 5.5 automobile parking spaces per 93 square metres of commercial floor area. **[Added 1987-05-19 by By-Law No. 1987-97]**
- (9) Bowling-alley subject to four automobile parking spaces per lane. **[Added 1990-07-23 by By-Law No. 1990-154]**

- (10) Retail sales accessory to industrial building: three automobile parking spaces per 93 square metres of retail floor area. **[Added 1993-06-14 by By-Law No. 1993-101]**
- (11) Manufacturing, repairing or warehousing uses: one parking space for every 93 square metres of gross floor area. **[Added 1993-06-28 by By-Law No. 1993-114]**
- (12) Service station, new and used car sales rooms and lots: three parking spaces for every 93 square metres of gross floor area. **[Added 1993-06-28 by By-Law No. 1993-114]**

§ 350-27. Parking of commercial motor vehicles. [Added 1976-02-16 by By-Law No. 3784]

- A. No person shall, in any residential zone, use any lot for the parking or storing of commercial motor vehicles.
- B. Notwithstanding the provisions of Subsection A, the owner or occupant of any dwelling unit in any residential zone may park or store a maximum of one commercial motor vehicle on the same lot upon which his dwelling unit is located, provided that:
 - (1) Such vehicle is not in excess of 1,000 kilograms' capacity.
 - (2) 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 500 kilograms' capacity must be parked or stored in a garage or carport.
 - (4) Any such vehicle up to 500 kilograms' capacity must be parked or stored in a garage, carport or surfaced parking area as regulated by § 350-26A or surfaced

driveway as provided under § 350-26B(1)(b)[1].
[Amended 1977-09-26 by By-Law No. 4229]

- (5) For the purposes of this section, a "vehicle of 1/2 ton's (500 kilograms) capacity" shall mean a commercial motor vehicle licensed with the appropriate provincial authorities for a gross weight not exceeding 2,268 kilograms, and a "vehicle of one ton's (1,000 kilograms) capacity" shall mean a commercial motor vehicle licenced with the appropriate provincial authorities for a gross weight not exceeding 3,175 kilograms. **[Added 1977-05-24 by By-Law No. 4112]**

(Cont'd on page 35043)

§ 350-28. Parking or storage of recreational vehicles. [Added 1970-09-14 by By-Law No. 1776; amended 1976-02-16 by By-Law No. 3784]

- 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 nine-tenths (1.9) metres in overall height shall be parked or stored in a required minimum side yard.
- B. Notwithstanding Subsection A(2)(a), occasional parking by the owner or occupant of a lot of one (1) recreational vehicle for seasonal use on a properly constructed and surfaced driveway on such lot shall be permitted as follows:
- (1) Camper trailers, motor homes, truck campers, travel trailers, boats and boat trailers during the period from May 15 to October 15 in each year, inclusive.
 - (2) Snowmobiles, snowmobile trailers and like winter-oriented vehicles during the period from November 30 in one year to April 1 in the next year, inclusive.
- C. For the purpose of Subsections A(2) and B, recreational units such as snowmobiles, boats, camper tops, etc., mounted on a trailer or truck bed shall be considered one (1) recreational vehicle.

- D. Notwithstanding the provisions of Subsection A, transitory parking of recreational vehicles on a properly constructed and surfaced driveway in compliance with the provisions of § 350-26 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 § 350-26 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.

§ 350-29. Handicapped automobile parking spaces. [Added 1981-10-19 by By-Law No. 1981-308]

- A. The provisions of § 350-26 shall apply to handicapped automobile parking space(s), save and except that such space(s) shall not be less than three and sixty-five hundredths (3.65) metres in perpendicular width throughout and shall be located as close as practical to the principal entrance(s) of a building. Where handicapped parking spaces are required, a curb cut or ramp shall be provided as close as practical to the principal entrance(s), and said spaces shall be identified by means of the physically handicapped symbol.
- B. The number of handicapped automobile parking spaces required may be calculated within the total number of automo-

bile parking spaces required and shall apply to those land uses and zoning categories as specified under the definition of "motel" in § 350-3, §§ 350-25A and 350-31 and where § 350-31 applies to Articles IV, V, VI, VII, VIII and IX, save and except residential in commercial. Handicapped automobile parking space(s) shall be provided as follows:

- (1) Save and except a hospital:

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

- (2) For a hospital:

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

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

§ 350-30. Supplementary regulations for lodging-houses. [Added 1981-10-05 by By-Law No. 1981-299]

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 four hundred sixty (460) square metres.
- C. Minimum lot frontage. Minimum lot frontage shall be twelve and zero-tenths (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 twenty-three (23) square metres, up to a maximum of ten (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 fourteen (14) square metres for each resident but not less than one hundred sixteen (116) square metres in total.
- H. Minimum landscaped area. A minimum landscaped area of seventy-five (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 three hundred (300) metres measured from property line to property line between any two (2) 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 the said uses are in conformity with Borough of Etobicoke By-Law No. 1978-41.¹

§ 350-30.1. Supplementary regulations for group homes. [Added 1986-04-21 by By-Law No. 1986-89²]

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 (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 § 350-3B herein, and any form of residential care facility.
- C. Registration. No owner or operator of a group home shall commence operation without having registered the proposed group home with the City of Etobicoke.
- D. Parking. Notwithstanding the provisions of § 350-26, at least one (1) on-site automobile parking space shall be provided.
- E. Minimum floor space. A minimum floor space of twenty-three (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.

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

² Editor's Note: This by-law also provided the "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 § 350-3B of the Zoning Code."

- 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.

§ 350-30.2. 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
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

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

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

Road	From	To
Attwell Drive	Disco Road	Dixon Road
Belfield Road	Attwell Drive	Kipling Avenue
Bergamot Avenue	Rexdale Boulevard	Islington Avenue
Bethridge Road	Highway No. 27	Kipling Avenue
Burnhamthorpe Crescent	Burnhamthorpe Road	Dundas Street West
Cadmark Place	Highway No. 27	Rexdale Boulevard
Carlingview Drive	Disco Road	Highway No. 401
Central Park Roadway	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

Road	From	To
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
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

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

Road	From	To
Widdicombe Hill Boulevard	Eglinton Avenue	Kipling Avenue
Woodbine Downs	Humberline Drive	Rexdale Boulevard

(2) Town of Mimico.

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

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

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

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

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

(3) Town of New Toronto.

- (a) Residential, Third Density (R3) District;
Residential, Fourth Density (R4) District; and
Commercial (C) District Zones.

- (b) Residential, First Density (R1) District; and Residential, Second Density (R2) District, where such zones front the roads listed below:

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

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

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

Road	From	To
New Toronto Street	Kipling Avenue	Dwight Avenue

(4) Village of Long Branch.

- (a) Residential Multiple -1 (RM-1) District; Residential Multiple -2 (RM-2) District; Residential Multiple Apartments (RMA) District; and Commercial (C-1) District Zones.
- (b) Residential Single-Family (RS) District, where such zone fronts the road listed below:

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

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

- B. Exemptions. The following shall not be subject to the supplementary regulations for churches, provided that such uses shall continue to be subject to the applicable provisions contained elsewhere in the Zoning Code:
- (1) Churches in existence as of May 4, 1987.
 - (2) Church additions or expansions totalling fifteen 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 I.
- 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.

(Cont'd on page 35047)

- 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 side yard of four and five-tenths (4.5) metres shall be required.
- I. Fences. No fence shall exceed one and nine-tenths (1.9) metres [on or within one and two-tenths (1.2) metres of a lot line] except if located closer to the street line than the main building, in which case the maximum height shall be one and zero-tenths (1.0) metre. All rear lot parking areas and driveways leading thereto shall be fenced with solid screening if abutting a residential zone or use.
- J. Accessory structures. The maximum permitted coverage of all accessory structures, including banquet halls, bingo halls, church halls, etc., shall not exceed fifteen per cent (15%) of the lot area. A minimum setback of one and five-tenths (1.5) metres or one-half ($\frac{1}{2}$) the height of 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.

§ 350-30.3. Supplementary regulations for waste disposal/recycling facilities. [Added 1992-10-05 by By-Law No. 1992-180²]

- A. Permitted locations (subject to compliance with Subsections B, C, D and E): Industrial (M) Zone.

² Editor's Note: This by-law also provided that existing facilities dealing with waste materials which have been developed in accordance with the zoning provisions in effect prior to the enactment of this by-law, but are not in accordance with the provisions of this by-law, shall be deemed to have lawful, nonconforming status, in accordance with Section 34(9) of the Planning Act, R.S.O. 1990, c. P.13, as amended.

B. Separation distance.

- (1) Waste disposal/recycling sites shall maintain a minimum separation distance of one hundred (100) metres from any lands zoned:

R1, R2, R3 and R4 Districts

I District

G District

- (2) The property municipally known as 260 New Toronto Street shall be exempt from § 350-30.3B(1) of this chapter.

C. Building type. When any building or structure is used for maintained for use as a waste disposal/recycling facility as defined in this chapter, no other use in addition thereto shall be permitted within said building or structure. Said building or structure shall be fully enclosed.

D. Outside storage. No outside storage, including storage in parked trucks or enclosed containers, shall be permitted.

E. Fencing of yards. Yards abutting a street where trucks manoeuvre, weigh in and load/unload and where waste and/or recycled materials are handled shall be enclosed by a two-and-four-tenths-metre-high solid metal, wood or masonry fence. If constructed of wood or metal, the fence is to be painted and maintained. Where such fence is adjacent to a street, the fence shall maintain a minimum four-and-five-tenths-metre setback from the property line. **[Added 1994-08-19 by By-Law No. 1994-125]**

§ 350-30.4. 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 § 350-14E(1) of the Zoning Code, satellite dishes and supporting structures in all Residential Zones shall not exceed five (5) square metres in area and four (4) metres in height, nor shall satellite dishes and supporting structures in all other zones exceed seven and three-tenths (7.3) square metres in area and four (4) metres in height. Where satellite dishes and supporting structures are attached to a building, they shall not exceed the maximum height permitted within the zone category in which the satellite dish is to be installed. Where the building has a pitched roof, the satellite dish and supporting structure shall not exceed the highest point of the roof.

§ 350-30.5. Supplementary regulations for schools. [Added 1995-11-27 by By-Law No. 1995-222]

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

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

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

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

§ 350-30.6. Supplementary regulations for amusement arcades. [Added 1996-12-10 by By-Law No. 1996-210]

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

§ 350-30.7. Supplementary regulations for drive-through facilities. [Added 2002-10-03 by By-Law No. 776-2002]

- A. Permitted locations: Drive-through facilities shall be restricted to industrial zones and commercial zones. In commercial zones where residential dwelling units above business uses are permitted on the same lot, drive-through facilities shall be prohibited.

- B. Separation distance: Where a property in any zone that permits a drive-through facility abuts any residential zone or a commercial zone which permits residential dwelling units above business uses, a minimum distance of 30 metres shall separate all points of the drive-through building or stacking lanes from any lot within any of the aforementioned zones.
- C. Combination of uses: Where the use of any land, building or structure is composed of a combination of a drive-through facility and any one or more other uses, those uses shall not be construed as accessory to one another and all provisions pertaining to each use shall apply.
- D. Restaurants which feature a drive-through window shall also be subject to the applicable regulations cited in § 350-25 of the Zoning Code.

§ 350-30.8. Front yard landscaping. [Added 2006-09-27 by By-Law No. 973-2006⁴]

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

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

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.

- 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 § 350-30.8 “landscaping” means trees, shrubs, grass, flowers, vegetables, and other vegetation, decorative stonework, walkways, patios, screening, or other horticultural or landscape-architectural elements, or any combination of these. Landscaping does not include driveways or parking areas, and directly associated elements such as curbs or retaining walls.

§ 350-30.9. Front yard soft landscaping. [Added 2006-09-27 by By-Law No. 973-2006⁵]

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

- A. A minimum of 75% of the front yard not covered by a permitted driveway shall be maintained as soft landscaping.
- B. For the purpose of this § 350-30.9, “soft landscaping” means trees, shrubs, grass, flowers, vegetables, and other vegetation, but does not include hard surfaced areas such as, but not limited to, driveways, parking areas, decorative stonework, walkways, patios, screening, or other landscape-architectural elements.

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

§ 350-31. Site development standards. [Added 1982-01-11 by By-Law No. 1982-12⁶]

Except as provided for in Article III, General Provisions, no person shall use any lot or erect or use any building or structure thereon unless such building or structure complies with the following standards:

A. Single-family dwelling.

- (1) Minimum lot area: 232 square metres.
- (2) Minimum lot frontage: 7.5 metres.
- (3) Minimum front yard: six metres.
- (4) Minimum side yard: 0.6 metre.
- (5) Minimum side yard adjacent to a street: 1.5 metres.
- (6) Minimum rear yard: 25% of the depth of the lot; 7.5 metres minimum. Notwithstanding any part of this section to the contrary, no residential building containing four 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 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]**
- (7) Minimum landscaped open space: 40% of the lot area.

⁶ Editor's Note: By-Law No. 1982-12 also repealed that part of original Schedule A to By-Law No. 2215, entitled "Minimum Development Standards for New Toronto Zoning By-Law," as amended 1960-08-17 by By-Law No. 2244; 1962-07-16 by By-Law No. 2296; 1974-07-24 by By-Law No. 3216; 1978-03-13 by By-Law No. 1978-64; and 1981-03-09 by By-Law No. 1981-62.

- (8) **[Added 1990-02-19 by By-Law No. 1990-51⁷]**
 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:

(Cont'd on page 35051)

⁷ 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.

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]**

Where the provisions of this section conflict with variances granted by the Committee of Adjustment, the provisions of these variances shall prevail.

B. Semi-detached dwelling.

- (1) Minimum lot area: 464 square metres.
- (2) Minimum lot frontage: 15 metres.
- (3) Minimum front yard: six metres.
- (4) Minimum side yard: 1.2 metres.
- (5) Minimum side yard adjacent to a street: 1.5 metres.
- (6) Minimum rear yard: 25% of the lot depth; 7.5 metres minimum. Notwithstanding any part of this section to the contrary, no residential building containing four 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 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]**
- (7) Minimum landscaped open space: 40% of the lot area.

C. Duplex.

- (1) Minimum lot area: 557 square metres.
- (2) Minimum lot frontage: 15 metres.

- (3) Minimum front yard: six metres.
- (4) Minimum side yard: 1.2 metres.
- (5) Minimum side yard adjacent to a street: 1.5 metres.
- (6) Minimum rear yard: 25% of the lot depth; 7.5 metres minimum. Notwithstanding any part of this section to the contrary, no residential building containing four 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 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]**
- (7) Minimum landscaped open space: 40% of the lot area.

D. Triplex.

- (1) Minimum lot area: 613 square metres.
- (2) Minimum lot frontage: 16.5 metres.
- (3) Minimum front yard: six metres.
- (4) Minimum side yard: 1.2 metres.
- (5) Minimum side yard adjacent to a street: 1.5 metres.
- (6) Minimum rear yard: 25% of the lot depth; 7.5 metres minimum. Notwithstanding any part of this section to the contrary, no residential building containing four 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 7.5 metres is maintained between the main rear wall of the building or any

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enclosed portion of the building extending beyond
the main rear wall and the waterfront top-of-bank

(Cont'd on page 35053)

as defined in the Zoning Code. **[Amended 1985-06-28 by By-Law No. 1985-162]**

- (7) Minimum landscaped open space: 40% of the lot area.

E. Fourplexes and apartment buildings. [Amended 1996-12-09 by By-Law No. 1996-210]

- (1) Minimum lot frontage: 22.5 metres.
- (2) Minimum front yard: 4.5 metres.
- (3) Minimum side yard: 0.5 times the lesser of the height or depth of the building.
- (4) Minimum rear yard: 0.5 times the lesser of the height or width of the building; 7.5 metres minimum. Notwithstanding any part of this section to the contrary, no residential building containing four 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 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]**
- (5) Minimum landscaped open space in an R3 Zone: 30% of the lot area.
- (6) Minimum landscaped open space in an R4 Zone: 35% of the lot area.

F. Maximum gross floor area of main building.

- (1) R1 Zone: 40% of the lot area.
- (2) R2 Zone: 60% of the lot area.
- (3) R3 Zone: 100% of the lot area.
- (4) R4 Zone: 150% of the lot area.

G. Use District C.

(1) Commercial uses.

- (a) Minimum side yard: 0.6 metre where adjacent to a residential zone.
- (b) Minimum rear yard: none for ground floor; 7.5 metres minimum for any wall above the ground floor.
- (c) Minimum yards for accessory buildings: 0.6 metre.
- (d) Maximum height of accessory buildings: 3.6 metres where the lot abuts a residential zone.

(2) Residential uses in a Commercial Zone:

- (a) Where in conjunction with a commercial area that occupies more than 25% of the total gross floor area of the building:
 - [1] Minimum rear yard, lowest residential floor: 7.5 metres.
 - [2] Minimum yards for accessory buildings: 0.6 metre.
 - [3] Maximum height of accessory buildings: 3.6 metres.
 - [4] Minimum landscaped open space: 9.3 square metres for each dwelling unit.
- (b) Where Subsection G(2) does not apply, the regulation shall be the same as for apartment buildings.

H. Use District M.

- (1) Minimum side yard: three metres.
- (2) Minimum rear yard: three metres where adjacent to a residential zone.

- (3) Minimum front yard: 4.5 metres. **[Added 1993-06-28 by By-Law No. 1993-114]**

I. Institutional uses. [Amended 1985-02-11 by By-Law No. 1985-27]

- (1) Minimum front yard: six metres.
- (2) Minimum side yard: 0.5 times the lesser of the height or depth of the building.
- (3) Minimum rear yard: 0.5 times the lesser of the height or width of the building: 7.5 metres minimum.
- (4) Minimum yards for accessory building; 7.5 metres minimum where adjacent to a residential zone.
- (5) Maximum height of accessory buildings: 3.6 metres.

J. Lodging-house. Subject to the provisions of §§ 350-26B(3) and 350-30.

K. Notwithstanding § 350-31, Subsections A, B, C, D and E, a front yard set-back in a residential zone shall be in accordance with "yard established front yard depth," as defined in § 350-3B. [Added 1982-12-13 by By-Law No. 1982-257]

L. Triangular lot. [Added 1996-12-09 by By-Law No. 1996-210] In any residential zone where the lot is triangular, no portion of the main building shall be located less than 7.5 metres from the rear angle of the lot. Depending on the type of dwelling erected on the lot, the rear yard shall have a minimum area of:

- (1) Single-detached dwelling lot: 93 square metres.
- (2) Duplex dwelling lot: 111 square metres.
- (3) Semi-detached dwelling: 69 square metres.
- (4) Triplex or fourplex dwelling: 139 square metres.

ARTICLE IV
R1 District⁷

§ 350-32. Permitted uses.

A. The following uses shall be permitted in any R1 Zone except on the lands set out in Subsection B hereof:

- (1) Single-family detached dwelling.
- (2) Office of physician, dentist, optometrist, in his private residence, such offices to be used for consultation and emergency or minor treatment only but not to be in the nature of clinics or private hospitals.
- (3) Place of worship.
- (4) Public, separate, private or religious school.
- (5) Day nursery, nursery school, provided that it is situated within a school, church or community centre. **[Added 1985-09-09 by By-Law No. 1985-210]**
- (6) Park or playground.
- (7) Any parking lot which is owned by the municipality and operated solely for the convenience of residential development.
- (8) 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 doghouse not exceeding one square metre of floor area; tool-sheds; patios; playhouses; central air-

⁷ Editor's Note: Original Section 6.20, Development Control, which immediately preceded this Article and was added 1974-11-04 by By-Law No. 3404 and amended 1977-09-26 by By-Law No. 4231, was deleted during codification. Adopted under Section 35a of the Planning Act, R.S.O. 1970, By-Law No. 3404 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 regarding site plan control, see Section 40 of the Planning Act, R.S.O. 1980, and Ch. 354, Site Plan Control.

conditioning units subject to § 350-14N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. **[Amended 1974-05-27 by By-Law No. 3152]**

(9) Private home day care. **[Added 1975-06-23 by By-Law No. 3607]**

(10) Group homes, as defined in §§ 350-3B and 350-30.1. **[Added 1986-04-21 by By-Law No. 1986-89]**

B. The lands fronting or abutting on either side of Eleventh Street in an R1 Zone shall be used only for the purpose of erecting, maintaining or using single-family detached dwellings or public and separate schools, churches and church rectories and parking in connection therewith and private home day care associated with such residential use. **[Amended 1966-02-28 by By-Law No. 2415; 1975-06-23 by By-Law No. 3607]**

§ 350-33. Area requirements. [Amended 1967-06-19 by By-Law No. 345; 1982-01-11 by By-Law No. 1982-12]

All buildings erected or to be erected in Use District R1 shall conform with the requirements listed in § 350-31, Site development standards.

ARTICLE V R2 District

§ 350-34. Permitted uses.

The following uses shall be permitted in any R2 District:

A. All R1 uses.

B. Semidetached dwelling.

C. Duplex dwelling. **[Amended 1976-09-13 by By-Law No. 3906; 1978-03-13 by By-Law No. 1978-64]**

- D. Converted dwelling.
- E. Triplex dwelling. [Amended 1976-09-13 by By-Law No. 3906; 1978-03-13 by By-Law No. 1978-64]
- F. Private club.⁸
- G. Library.
- H. Community centre.
- I. 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 doghouse not exceeding one square metre of floor area; tool-sheds; patios; playhouses; central air-conditioning units subject to § 350-14N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. [Amended 1974-05-97 by By-Law No. 3152]
- J. Private home day care. [Added 1975-06-23 by By-Law No. 3607]

§ 350-35. Area requirements. [Amended 1967-06-19 by By-Law No. 345; 1982-01-11 by By-Law No. 1982-12]

All buildings erected or to be erected in Use District R2 shall conform with the requirements listed in § 350-31, Site development standards.

**ARTICLE VI
R3 and R4 Districts**

§ 350-36. Permitted uses.

The following uses shall be permitted in R3 and R4 Districts:

⁸ Editor's Note: Original Subsection (6), which immediately preceded this subsection and which listed "boarding- or lodging-house" as a permitted use, was repealed 1980-06-06 by By-Law No. 1980-179 and 1981-10-05 by By-Law No. 1981-299.

- A. All R2 uses.
- B. Apartment building.
- C. Private hospital, children's home.
- D. Medical centre or medical and dental offices. [**Amended 1987-05-19 by By-Law No. 1987-97**]
- E. Apartment-hotel.
- F. A drugstore, barber-shop, florist-shop, delicatessen or restaurant, if appurtenant to and for the benefit of the tenants of an apartment-hotel or apartment building, may be established and operated therein, provided that the entrance to any such store or shop shall be from within such apartment building or apartment-hotel building and that no exterior window of any such shop or store, apartment building or apartment-hotel shall be used for the display of goods or advertising and that such shop or store shall be located on the first floor of such building only.
- G. 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, semi-detached, converted dwelling and triplex dwellings and boarding- or lodging-houses shall be permitted the following uses in addition to the foregoing: tool-sheds; patios; playhouses; one doghouse not exceeding one square metre of floor area; central air-conditioning units subject to § 350-14N; and such other buildings or structures that are subordinate and customarily incidental to a dwelling. [**Amended 1974-05-27 by By-Law No. 3152**]
- H. Private home day care. [**Added 1975-06-23 by By-Law No. 8607**]
- I. Lodging-house. [**Added 1981-10-05 by By-Law No. 1981-299**]

- J. Day nursery, nursery school, provided that it is situated within a school, church or community centre. [Added 1985-09-09 by By-Law No. 1985-210]
- K. Fourplex. [Added 1996-12-09 by By-Law No. 1996-210]

§ 350-37. Area requirements. [Amended 1967-06-19 by By-Law No. 345; 1982-01-11 by By-Law No. 1982-12]

All buildings erected or to be erected in Use District R3 or R4, respectively, shall conform with the requirements listed in § 350-31, Site development standards.

**ARTICLE VII
C Districts**

§ 350-38. Permitted uses.

A. The following uses shall be permitted in C Districts:

- (1) Store for the retail sale or wholesale sale which is not in conjunction with a manufacturing or warehouse use of the following: books, clothing, drugs, electrical appliances, flowers, food, furniture, hardware, jewellery, magazines and papers, shoes, stationery, tobacco and toys, provided that the same are conducted entirely within wholly enclosed buildings.
- (2) The following personal service shops: barber-shop, beauty salons, dressmaking and tailoring and dry-cleaning establishments using non-combustible cleaning solvents and customer-operated automatic laundries or cleaners, provided that the same are conducted entirely within wholly enclosed buildings. [Amended 1968-05-06 by By-Law No. 722]
- (3) Small repair shop for the repair of clocks and watches, domestic appliances, electrical appliances,

furniture and jewellery and shoes, provided that the same are conducted entirely within wholly enclosed buildings.

- (4) Business, professional or government office.
- (5) Bank.
- (6) Medical centre or medical and dental offices. **[Amended 1987-05-19 by By-Law No. 1987-97]**
- (7) Printing plant.
- (8) Club, lodge or union hall.
- (9) Restaurants.
 - (a) Convenience restaurant, take-out restaurant, standard restaurant. For restaurant standards, see § 350-25. **[Amended 1973-12-17 by By-Law No. 2979; 1981-03-09 by By-Law No. 1981-62; 1985-02-11 by By-Law No. 1985-27]**
 - (b) 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]**
- (10) Place of amusement. **[Amended 1967-01-30 by By-Law No. 98; 1982-12-13 by By-Law No. 1982-266]**
- (11) Hotel, motel or tavern.
- (12) Undertaking establishments, subject to the provision of eight automobile parking spaces per 93 square metres of gross floor area. **[Amended 1984-09-04 by By-Law No. 1984-190]**
- (13) 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, car wash, public garage, service station, but not salvage yards or motor vehicle body

repair shops. **[Amended 1978-12-11 by By-Law No. 1978-342]**

- (14) Parking lot.
- (15) Commercial school.
- (16) Place of worship.
- (17) Dwellings over commercial uses and private home day care associated with such residential use. **[Amended 1975-06-23 by By-Law No. 3607; 1980-06-06 by By-Law No. 1980-179; 1981-10-05 by By-Law No. 1981-299; 1983-04-05 by By-Law No. 1983-73]**
 - (a) Access to the dwelling units shall be from an entrance, at grade level, fronting on a street.
- (18) Park.
- (19) Any use accessory to a permitted use.
- (20) Lodging-house. **[Added 1981-10-05 by By-Law No. 1981-299]**
- (21) A maximum of two amusement devices shall be permitted for individual commercial establishments listed in Subsection A(1), (2), (9), (10) and (11) having a minimum gross floor area of 130 square metres. **[Added 1982-12-13 by By-Law No. 1982-266; amended 1996-12-09 by By-Law No. 1996-210]**
- (22) Game establishment – Types A, B and C. (See the definition of “amusement device” in § 350-3B.) **[Added 1982-12-13 by By-Law No. 1982-266]**
- (23) Day nursery and nursery school. **[Added 1985-09-09 by By-Law No. 1985-210]**
- (24) Group homes, as defined in §§ 350-3B and 350-30.1. **[Added 1986-04-21 by By-Law No. 1986-89]**
- (25) Bowling-alley. **[Added 1990-07-23 by By-Law No. 1990-154]**

**§ 350-39. Area requirements. [Amended 1982-01-11 by
By-Law No. 1982-12]**

All buildings erected or to be erected in Use District C shall conform with the requirements listed in § 350-31, Site development standards, and shall have a minimum height of the front face of the building of 5.5 metres above grade.

**ARTICLE VIII
I District**

§ 350-40. Permitted uses.

The following uses shall be permitted in I Districts:

- A. Municipal office.
- B. Water filtration plant or water-tower.
- C. Fire hall.
- D. Police station.
- E. Library.
- F. Museum.
- G. Parking lot.
- H. Public hospital.
- I. Streetcar turning-loop.
- J. Any use accessory to a permitted use.
- K. Day nursery and nursery school. **[Added 1975-06-23 by
By-Law No. 3607]**

**§ 350-41. Area requirements. [Amended 1982-01-11 by
By-Law No. 1982-12]**

Any building erected or to be erected in Use District I shall conform with the requirements listed in § 350-31, Site development standards.

ARTICLE IX
(Reserved)⁹

§§ 350-42 through 350-43. (Reserved)

ARTICLE X
G District

§ 350-44. Permitted uses.

The following uses shall be permitted in G Districts:

- 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 liveryes; community centres; community recreation buildings; and any services associated with the uses listed herein, including roadways and parking areas required to support such uses. **[Amended 1993-08-20 by By-Law No. 1993-144]**
- B. Parking space accessory to a permitted use.
- C. Any use accessory to a permitted use.
- D. Colonel Samuel Smith Park. **[Added 1993-05-17 by By-Law No. 1993-74]**

(Cont'd on page 35061)

⁹ Editor's Note: Former Art. IX, M District, consisting of §§ 350-42 through 350-43, was repealed 1996-12-09 by By-Law No. 1996-209.

- (1) In the Sam Smith Boater's Federation Area of Colonel Samuel Smith Park as shown on Schedule A attached hereto,⁴ the following shall be permitted: yacht clubs and a non-profit sailing school; mooring facilities for a maximum of five hundred twenty (520) boats; parking/winter storage area for a maximum of four hundred twenty-three (423) vehicles or five hundred twenty (520) boats; clubhouses; dry sailing facilities for non-motorized boats, to be stored on site; launch and haul-out facilities; other services and facilities required for the operation of boats, but shall not include facilities for major mechanical or structural repair or dispensing of fuel.
- (2) The use of any club facilities for commercial purposes shall not be permitted. Permanent year-round residency on moored boats shall not be permitted.

ARTICLE XI

Administration and Enforcement

§ 350-45. Building permits.

- A. No excavation for any building shall be started until a building permit has been issued by the Inspector of Buildings.
- B. Every person proposing to erect or structurally alter any building or structure shall, when applying for a building permit, file with the Inspector of Buildings a signed statement as to the use or purpose for which such building or structural alteration is intended and that the lot to be built upon is owned by the person so applying and evidence of such ownership, together with duplicate copies of the plans of such building and lot, drawn to a

⁴ Editor's Note: Schedule A is attached to By-Law No. 1993-74 and on file in the office of the City Clerk.

scale of not less than one to one hundred (1:100), showing the actual dimensions, including radii and angles of the lot to be built upon, all buildings existing upon the said lot with the heights and dimensions of same, the heights and dimensions of the proposed building, the disposition of the buildings upon contiguous lots and other such information as may be necessary to provide for the enforcement of this chapter; and if such building is designed in a manner or intended for a use not permitted within the zone concerned, no building permit shall be issued.⁵ [Amended 1979-11-26 by By-Law No. 1979-306]

§ 350-46. Continuation of existing regulations.

All by-laws in force in the Town of New Toronto regulating the use of lands and the use, bulk, height and location of buildings shall be and are hereby amended in so far as it is necessary to give effect to the provisions of this chapter; provided, however, that where this chapter does not control, the existing town by-laws shall remain in full force and effect.

§ 350-47. Zoning Administrator.

The Zoning Administrator shall be appointed by the Town Council, and his duties shall be to administer the provisions of this chapter.⁶

⁵ Editor's Note: Original Section 14.2, Certificates of Occupancy, which followed this section, was repealed 1982-01-11 by By-Law No. 1982-12.

⁶ Editor's Note: Original Section 14.5, Violations and Penalties, which immediately followed this section, was deleted during codification. For current penalties for offenses, see Ch. 300.

ARTICLE XII**MU District****[Added 1991-02-04 by By-Law No. 1991-27]****§ 350-48. Permitted uses.**

The following uses shall be permitted in MU Districts:

- A. All R4 uses.
- B. Retail stores; personal services and service shops; business, professional and government offices; banks and trust companies; community centre and recreational facilities; day nurseries and nursery schools; medical and dental offices; restaurants and outdoor cafes in conjunction with a restaurant on the same lot; commercial schools; studios; and dry-cleaning and laundry collecting establishments, provided that all said uses are integrated into a building containing permitted residential uses.

ARTICLE XIII**MU-H District****[Added 1991-02-04 by By-Law No. 1991-27]****§ 350-49. Holding provisions.**

This district designation is a holding zone pursuant to Section 35 of the Planning Act, 1983. The H symbol indicates that lands so zoned cannot be used for a purpose permitted by the MU District until the H symbol is removed by a by-law amendment pursuant to Section 35 of the Planning Act, 1983. Upon the deletion of the H symbol, from all or part of the lands, the MU uses shall be permitted subject to the development standards applicable thereto.

