

City of Toronto Proposed Zoning By-law

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Chapter 1 Administration

1.5 General

1.5.1 Title

(1) Title

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

1.5.2 Purpose and Intent of this By-law

(1) Purpose and Intent

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

1.5.3 Lands Subject to this By-law

(1) Lands Subject to this By-law

This By-law applies to all lands in the City of Toronto shown on the Zoning By-law Map, being the map in Chapter 990, except for those lands identified as lands to which this by-law does not apply.

1.20 Interpretation

1.20.1 By-law Structure

(1) By-law Structure and Numbering of Divisions

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

20. Chapter

20.10 Section

20.10.30 Article

20.10.30.15 Clause

(2) By-law Structure and Numbering of Regulations

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

(25) [bracketed numeral]

(A) [bracketed upper-case letter]

(i) [bracketed lower-case Roman numeral]

(a) [bracketed lower-case letter]

(3) Reference to a Subdivision of a Regulation

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

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

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

1.20.2 How to read this By-law

(1) Headings and Titles

Headings and titles in the body of this By-law are not part of this By-law and are included for convenience of reference only.

(2) Statements of "Purpose of the Zone"

A statement under the heading "Purpose of the Zone" for each zone is provided to summarize the intent of the zone, and is part of this By-law.

(3) Reference to Planning Act

If a reference is made to the Planning Act in this By-law, it refers to the Planning Act, R.S.O. 1990, c. P.13, as amended.

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

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

(5) Lots Divided into More than One Zone

If a **lot** is divided into more than one zone, the permitted uses and regulations for each zone apply only to the portion of the **lot** within the respective zone, but a zone boundary may not be construed to be a **lot line**.

(6) Regulations in this by-law

If there is a conflict between applicable Regulations in this By-law, the conflict shall be resolved by applying the Regulations in the following order of priority:

1st priority: Chapter 550 Regulations for Holding Zones;

2nd priority: Chapter 700 Non-conformity/Non-compliance;

3rd priority: Chapters 900 Site Specific Amendments, 950 Prevailing By-laws and 955 Prevailing By-law Sections;

4th priority: Chapter 150 Specific Use Regulations;

5th priority: Chapter 600 Regulations for Overlay Zones and the Overlay Maps in Chapter 995;

6th priority: Chapters 200 **Parking Space** Regulations, 220 **Loading Space** Regulations and 230 Bicycle Parking Regulations;

7th priority: Chapters 280 to 500 Special Districts;

8th priority: Chapters 10 to 100 Zone Regulations;

9th priority: Chapter 5 Regulations applying to all Zones;

(7) Determination of Zone Boundaries

Unless the location of a zone boundary is described or dimensioned to show otherwise, if a parcel of land abuts a **street**, **lane** or watercourse, the zone boundary for that parcel extends to the centre line of the **street**, **lane** or watercourse.

(8) Site Specific or Area Specific Regulations

If a zone symbol on the Zoning By-law Map, is followed by rounded brackets () containing a lowercase 'x' followed by a number, the number in the rounded brackets refers to specific regulations for the **lot** or area in that zone, found in Chapter 900 Site Specific Amendments.

(9) Holding Symbol (H)

If an (H) and associated number appear in brackets placed in front of a zone symbol on the Zoning By-law Map, the use and intensity of the development permitted by the zone symbol and zone string for that area is restricted to that permitted by the associated holding symbol regulation number located in Chapter 550 Holding Provision By-laws - Section 36, until the holding symbol (H) has been removed.

(10) When Uses Are Not listed

In this by-law if a use is not listed as permitted, then it is not allowed.

(11) Interpretation of Uses

A use may not be interpreted as including any other use specifically setout as a permitted use in a zone, or defined in this By-law.

(12) Maps and Tables

Maps and Tables are part of this By-law.

(13) Diagrams

A drawing or other visual representation that is labelled as a "Diagram" is part of this By-law.

(14) Illustrations

A drawing or other visual representation that is labelled as an "Illustration" is not part of this By-law and is included for convenience of reference only.

(15) Margin Notes

Margin Notes giving information, clarifying intention, providing examples or information, or referring to legislation or other by-laws or to other parts of this By-law, are not part of this By-law and are included for convenience of reference only.

(16) Defined Terms

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

(17) Word Usage

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

- (A) words used in the singular include the plural;
- (B) words used in the plural include the singular;
- (C) 'used' includes "intended to be used"; and

(D) a grammatical variation of a word or expression defined or used has the same meaning.

(18) Conjunctions and Disjunctions

Unless the context clearly indicates otherwise:

(A) "and" indicates that all connected items or regulations apply; and

(B) "or" indicates that the connected items or regulations may apply singularly, alternatively or in combination.

(19) Examples

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

(20) Interpretation of Permitted Principal Uses

A use is permitted as a principal use in a zone if it is:

(A) included on the list of uses permitted as a principal use for that zone;

(B) included on the list of uses permitted as a principal use - conditional for that zone and the specific conditions set out for the use are complied with;

(C) a use permitted as a principal use for all zones in Clause 5.10.20.10; or

(D) a use permitted as a principal use - conditional, for all zones in Clause 5.10.20.20 and the specific conditions set out for the use in Clause 5.10.20.100 are complied with.

(21) Interpretation of Office

For the purpose of this by-law an office is to include business office, administrative office, government office and medical office

1.20.3 Validity

(1) Severability

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

1.30 Conformity

1.30.4 Licences, Permits and Other By-laws

(1) Licences, Permits and Other By-laws

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

1.40 Zones and Zone Categories

1.40.1 General

(1) Zone Symbols and Boundaries

All lands within the City of Toronto are located in one of the zones listed in Articles

under Section 1.40. Each zone is identified by a zone symbol and delineated by boundary lines on the Zoning By-law Map.

(2) Reference to a Zone Category

If reference is made to a zone category, it includes all zones within that zone category as shown in Section 1.40.

(3) Reference to a Zone

A zone may be referred to by its zone name or its zone symbol.

1.40.10 Residential Zone Category

(1) Residential Zones

The zones in the Residential zone category are:

ZONE NAME ZONE SYMBOL

Residential R

Residential Detached RD

Residential Semi-Detached RS

Residential **Townhouse** RT

Residential Multiple RM

1.40.15 Residential Apartment Zone Category

(1) Residential Apartment Zones

The zones in the Residential Apartment zone category are:

ZONE NAME ZONE SYMBOL

Residential Apartment RA

1.40.30 Commercial Zone Category

(1) Commercial Zones

The zones in the Commercial zone category are:

ZONE NAME ZONE SYMBOL

Commercial Local CL

1.40.40 Commercial Residential Zone Category

(1) Commercial Residential Zones

The zones in the Commercial Residential zone category are:

ZONE NAME ZONE SYMBOL

Commercial Residential CR

1.40.50 Commercial Residential Employment Zone Category

(1) Commercial Residential Employment Zones

The zones in the Commercial Residential Employment zone category are:

ZONE NAME ZONE SYMBOL

Commercial Residential Employment CRE

1.40.60 Employment Industrial Zone Category

(1) Employment Industrial Zones

The zones in the Employment Industrial zone category are:

ZONE NAME ZONE SYMBOL

Employment Industrial E

Employment Light Industrial EL

Employment Heavy Industrial EH

Employment Industrial - Commercial EC

Employment Industrial - Office EO

1.40.80 Institutional Zone Category

(1) Institutional Zones

The zones in the Institutional zone category are:

ZONE NAME ZONE SYMBOL

Institutional I

Institutional **Hospital** IH

Institutional Education IE

Institutional School IS

Institutional **Place of Worship** IPW

1.40.90 Open Space Zone Category

(1) Open Space Zones

The zones in the Open Space zone category are:

ZONE NAME ZONE SYMBOL

Open Space O

Open Space Natural ON

Open Space Recreation OR

Open Space Golf Course OG

Open Space Marina OM

Open Space **Cemetery** OC

1.40.100 Utility and Transportation Zone Category

(1) Utility and Transportation Zones

The zones in the Utility and Transportation zone category are:

ZONE NAME ZONE SYMBOL

Utility and Transportation UT

1.50 Maps

1.50.1 Zoning Maps

(1) Zoning Maps

The zoning maps of this By-law are found in Chapter 990.

1.60 Overlay Maps

1.60.1 Purpose of Overlay Areas

(1) Purpose of Overlay Maps

The overlay maps referred to in Article 1.60.2 showing overlay areas, and the associated regulations in Chapter 600, Regulations for Overlay Zones, are used to respond to localized or specific issues. An Overlay regulation in Chapter 600 may alter, add or remove some of the zone regulations affecting the use of land.

1.60.2 Overlay Areas

(2) Overlay Maps

The following are the overlay maps of this By-law:

(A) Height Overlay Map, found in Section 995.5;

(B) Major **Streets** Overlay Map, found in Section 995.10;

(C) Policy Area Overlay Map, found in Section 995.15;

- (D) **Lot Coverage** Overlay Map, found in Section 995.20;
- (E) Conservation Overlay Map, found in Section 995.25.

Chapter 5 Regulations applying to all Zones

5.10 General Regulations

5.10.1 General

5.10.1.10 Interpretation

(1) Application of Chapter

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

(2) Multiple Uses On a Lot

Unless otherwise stated in this By-law, if a **lot** is used for more than one principal use, the regulations applicable to each principal use on the **lot** are applied as if each principal use exists and operates independently of the other.

(3) Specific Uses

If the zone regulation identifies a specific use as being a permitted principal use with conditions or an **ancillary** use with conditions, and the condition requires compliance with the regulations in Chapter 150, then the specific use must comply with the regulations for the zone in which it is located and the applicable regulations contained in Chapter 150. In all other cases the regulations of Chapter 150 do not apply.

(4) School

If a **Public School** or **Private School**, lawfully existed in a lawfully erected **building** on a **lot** on the date of the enactment of this By-law and the **lot** is located in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category, or Institutional Educational Zone, the use is permitted to remain if:

- (A) the **building** as existing on the date of the enactment of this by-law and used as a **Public School** or **Private School** remains; or
- (B) any expansion or addition to that **building** complies with the applicable requirements of Section 150.48 and the applicable **lot** and **building** requirements for the zone in which the **lot** is located; and
- (C) the **building** existing on the date of the enactment of this by-law is replaced with a new school **building** that complies with the applicable requirements of Section 150.48 and the applicable **lot** and **building** requirements for the zone in which the **lot** is located.

(5) Place of Worship

If a **Place of Worship** lawfully existed in a lawfully erected **building** on a **lot** on the date of the enactment of this By-law and the **lot** is now located in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category, Commercial Residential Zone Category where not otherwise permitted, Commercial Residential Employment Zone Category where it is not otherwise permitted, or Institutional School Zone category, the **building** may remain if:

- (A) the **building** as existing on the date of the enactment of this by-law and used as a **Place of Worship** remains; or
- (B) Any expansion or addition to that **building** must comply with the applicable requirements of Section 150.50 and the applicable **lot** and **building** requirements for the zone in which the **lot** is located.

- (C) the **building** existing on the date of the enactment of this by-law is replaced with a new **Place of Worship building** that complies with the applicable requirements of Section 150.50 and the applicable **lot** and **building** requirements for the zone in which the **lot** is located.

(6) Application of Regulations to Uses

Unless otherwise stated in this by-law, if a regulation applies to a use, the regulation applies whether the use is a principal use, a principal use conditional or an **ancillary** use.

5.10.1.20 Compliance With This By-law

(1) Uses to Conform with this By-law

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

(2) Buildings to Comply with this By-law

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

(3) Lands to Comply with this By-law

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

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

If a conveyance or dedication required by a federal, provincial or municipal government, or an expropriation by an expropriating authority, causes a **lot** to not comply with the **lot frontage**, **lot depth**, **lot area** or required yard setback regulations of this By-law, the **lot** is deemed to comply with those regulations if the reduction:

- (A) in the **lot frontage**, **lot depth** or **lot area**, does not produce a **lot frontage**, **lot depth** or **lot area** that is less than 85% of the minimum **lot frontage**, minimum **lot depth** or minimum **lot area** required by this By-law for the zone in which the **lot** is located; and

- (B) in a yard setback does not produce a yard setback that is less than 25% of the minimum yard setback required by this By-law for the zone in which the **lot** is located.

5.10.1.30 Restrictions

(1) Use of Unzoned lands

Lands that are shown on the Zoning By-law Map in Chapter 990, as lands to which this by-law applies, but are not identified on the Zoning By-law Map as being in a zone are only to be used for open space and are not to contain a **building** or **structure**.

(2) Habitation in a Vehicle

Unless otherwise stated in this By-law, a **vehicle** may not be used for living accommodation.

(3) Dwelling Unit Below Grade

A **dwelling unit** may not be located entirely below finished grade.

5.10.1.40 Deemed Uses

(1) Billiards Tables – Number

If **premises** contain more than two tables used for games such as billiards, pool or snooker, the parts of the **premises** containing the tables are deemed to contain a **recreation use** for the purpose of determining conformity with this By-law.

5.10.20 Permitted Uses

5.10.20.10 Principal Use

5.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – All Zones

The following principal uses are permitted in all zones, if they comply with the specific conditions set out for each use in Clause 5.10.20.100:

Ambulance Depot (1)

Fire Hall (2)

Police Station (3)

Public Utility * (4)

Transportation Uses * (5)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 5.10.20.100.

5.10.20.30 Ancillary Use

(1) Permitted Ancillary Uses, Buildings and Structures

Uses, **buildings** and **structures** that are **ancillary** to a permitted principal use or principal conditional use, existing on the **lot**, are also permitted if they comply with the applicable regulations of this by-law.

(2) Ancillary Use – All Zones

The following **ancillary** uses are permitted in all zones, and must comply with the specific conditions set out for the use in Clause 5.10.20.100 and the regulations for the zone in which it is located:

Renewable Energy * Production (6)

Cogeneration Energy * Production (6)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 5.10.20.100.

5.10.20.100 Conditions

(1) Ambulance Depot

If an ambulance depot is located on a **lot** in a residential zone category, institutional zone category and open space zone category the **lot** must:

(A) front on a **street** shown on the Major **Streets** Overlay Map; or

(B) front on a **street** that intersects with a **street** shown on the Major **Streets** Overlay Map

and the **lot** is not more than 250 metres from that intersection.

(2) Fire Hall

If a fire hall is located on a **lot** in a residential zone category, institutional zone category and open space zone category the **lot** must:

- (A) front on a **street** shown on the Major **Streets** Overlay Map; or
- (B) front on a **street** that intersects with a **street** shown on the Major **Streets** Overlay Map and the **lot** is not more than 250 metres from that intersection.

(3) Police Station

If a police station is located on a **lot** in a residential zone category, institutional zone category and open space zone category the **lot** must:

- (A) front on a **street** shown on the Major **Streets** Overlay Map; or
- (B) front on a **street** that intersects with a **street** shown on the Major **Streets** Overlay Map and the **lot** is not more than 250 metres from that intersection.

(4) Public Utility

- (A) A **public utility** is permitted in any zone if the service from the utility facility is provided directly to a **lot**.

- (B) If a **public utility** facility is located on a **lot** in a residential zone category, it must comply with all regulations applicable to a principal **building** on that **lot**.

(5) Transportation Use

If a **building** or **structure** used for transportation purposes is located on a **lot** in other than a utility transportation zone category, the **building** or **structure** must comply with all regulations applicable to a principal **building** on that **lot** for the zone in which the **lot** is located.

(6) Renewable Energy Production and Cogeneration Energy Production

Unless otherwise stated in this by-law, **renewable energy** production or **cogeneration energy** production is permitted if it is **ancillary** to an existing principal use on the **lot** and it complies with all municipal, provincial and federal by-laws, statutes and regulations

5.10.30 Lot Requirements

5.10.30.1 General

(1) Availability of Services

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

- (A) the land abuts an existing **street**, or is connected to an existing **street** by a **street** or **streets**, constructed to a minimum base curb and base asphalt or concrete; and

- (B) all municipal water mains and municipal sewers, and their appurtenances, are installed to a **lot line** of the property and are operational.

(2) Fronting on a Street

Except for a Parcel of Tied Land, a **building** or **structure** may not be erected or used, on any **lot** that does not abut a **street**. For the purpose of this regulation, a "Parcel of

Tied Land” has the meaning given to it in section 24 of Ontario Regulation 49/01 made under the Condominium Act, 1998, S.O. 1998,c.19, as amended.

(3) Lot with Reserve Along Street - No Access

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

This regulation does not deem the **lot** to abut a **street** from which it is separated by a 0.3 metre reserve.

(4) Lot with Reserve Along Street - With Access

If a **lot** is separated from a **street** by a 0.3 metre reserve and access to the **lot** is available from a **lane**, Regulation 5.10.30.1 (2) does not apply.

5.10.30.20 Frontage

(3) Designated Front Lot Line for Corner Lots

Unless otherwise stated in this By-law, the **lot line** or contiguous **lot lines** separating a **corner lot** from one **street** or one **street** segment may be selected as the **front lot line**, and despite the definition of **front lot line**, the **lot line** or contiguous lines separating the **corner lot** from another **street** or **street** segment shall not be a **front lot line**.

(4) Designated Front Lot Line for Through Lots

Unless otherwise stated in this By-law, any **lot line** separating a **through lot** from a **street** may be selected as the **front lot line**, if the **lot line** is not separated from the **street** by a 0.3 metre reserve.

(5) Minimum Front Lot Line - Building containing a Dwelling Unit

A **building** containing a **dwelling unit** may not be erected on a **lot** that does not have a **front lot line** of 3.5 metres or more, unless the **lot**:

(A) abuts a **lane** having a minimum width of 6.0 metres; and

(B) has a minimum of 3.5 metres of the **rear lot line** abutting the lane

5.10.30.40 Coverage

(1) Ramp or Elevating Device Providing Barrier Free Access

An access ramp or elevating device providing barrier-free access may not be included in the calculation of **lot coverage**.

5.10.40 Principal Building Requirements

5.10.40.1 General

(1) Building Projections and Attachments

Unless otherwise stated in this By-law, a part of a principal **building** that projects outward from a **main wall** or roof, or a **structure** that is attached to a principal **building**, is to meet the yard setback and height requirements applicable to the principal **building**.

(2) Building Orientation to Street for Certain Residential Building Types

(A) Unless otherwise stated in this By-law, a principal **building** may not be erected or used if:

- (i) it contains one or more **dwelling units** in a **detached house, semi-detached house, townhouse, duplex, triplex or fourplex**, and is in the rear of another principal **building**; or
- (ii) it is in front of another principal **building** containing one or more **dwelling units** in a **detached house, semi-detached house, townhouse, duplex, triplex or fourplex**, so as to produce the condition of a **building** containing **dwelling units** in the rear of another **building**.

(B) Regulations (i) and (ii) above, do not prevent the erection of an addition to the front or rear of an existing **building** if the additions are not detached above or below grade from the original **building**.

(3) Building Orientation to Street for Non-Residential Buildings containing Dwelling Units, Apartment Buildings and Hotels

(A) Unless otherwise stated in this By-law, a **building** may not be erected or used if:

- (i) it contains **dwelling units** in a **non-residential building** or an **apartment building**, or contains rooms or suites in a **hotel**, and is in the rear of another **building**; or
- (ii) it is in front of a **building** containing **dwelling units** in either a **non-residential building or apartment building**, or containing rooms or suites in a **hotel**, so as to produce the condition of a **building** containing **dwelling units** or rooms or suites in the rear of another **building**.

(B) Regulations (A)(i) and (A)(ii) above, do not prevent the erection of an addition to the front or rear of an existing **building** if the additions are not detached above or below grade from the original **building**.

(B) Regulations (A)(i) and (A)(ii) above, do not prevent the erection of an addition to the front or rear of an existing **building** if the additions are not detached above or below grade from the original **building**.

5.10.40.10 Height

(1) Height of Buildings and Structures - General

The maximum height of a principal **building** or **structure** is the height identified on the Height Overlay Map and if none is indicated on the Height Overlay Map it is the height stated in the applicable zone regulations.

(2) Height of Buildings and Structures - Flight Path

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

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

(3) Height of Buildings and Structures - Exemptions for Specified Structures on a Principal Building

Unless otherwise stated in this by-law, the following **structures**, if on a principal **building**, may exceed the maximum height limit for a principal **building** by a maximum of 5.0 metres:

Flagpoles
Antennae
Satellite dishes

(4) Height of Buildings and Structures - Exemptions for Functional Operation of a Building

If located on a roof of a principal **building**, the following may exceed the maximum height limit for the **building** by a maximum of 5.0 metres, if they also comply with regulation 5.10.40.10 (5):

- (A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;
- (B) **structures** or parts of the **building** that are used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
- (C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above.

(5) Height of Buildings and Structures - Limits on Exempted Elements for Functional Operation of a Building

If equipment, **structures** or parts of a **building** exceed the maximum **building** height as permitted by Regulation 5.10.40.10 (4), they must also comply with the following:

- (A) the total area of all these elements together is not to cover more than 30% of the area of the roof, measured horizontally; and
- (B) for any of these elements located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to that **street**, is not to exceed 20% of the length of the building's **main walls** facing that **street**.

(6) Height of Buildings and Structures - Exemptions for Rooftop Outdoor Recreation, Safety and Wind Protection

Unless otherwise stated in this By-law, on a principal **building** with a height greater than 15.0 metres, unenclosed **structures** on the roof providing safety or wind protection to rooftop recreational uses may exceed the maximum permitted **building** height by a maximum of 3.0 metres, if such **structures** are located a minimum of 2.0 metres from the interior face of any **main wall**.

5.10.40.60 Permitted Encroachments

(1) Canopies and Awnings

Despite regulation 5.10.40.70 (1) and unless otherwise stated in this By-law, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required yard setback that abuts a **street**, if no part of the canopy, awning or similar **structure** is located more than 5.0 metres above the elevation of the finished grade immediately below it.

5.10.40.70 Setbacks

(1) Compliance with Required Yard Setback

Unless otherwise stated in this By-law, no part of a **building** or **structure** is to be located in a required yard setback.

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

Unless otherwise stated in this By-law, required yard setback regulations apply to all parts of a **building** or **structure** above and below grade, excluding the footings for the **building** or **structure**.

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

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

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

Unless otherwise stated in this By-law, a use that is not located inside a **building** or **structure** must comply with the minimum required yard setbacks for a principal **building** on the **lot**, except as follows:

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

(5) Rear Yard Setback for Triangular Shaped Lots

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

(6) Setback from a Lane

- (A) Unless otherwise stated in this By-law, a principal **building** or **structure** must comply with the following minimum **building setbacks**:
 - (i) If the **lot** on which a principal **building** or **structure** is located is in a Residential Zone category or Open Space Zone category, the principal **building** or **structure** must be set back at least 2.5 metres from the centreline of a **lane**;
 - (ii) If the **lot** is not in a Residential Zone category or Open Space Zone category and the **lot** abutting the other side of the **lane** is also not in a residential or open space zone category, the principal **building** or **structure** must be set back 3.0 metres from the centreline of a **lane**; and
 - (iii) If the **lot** is not in a Residential Zone category or Open Space Zone category and the **lot** abutting the other side of the **lane** is in a Residential Zone category or Open Space Zone category, the principal **building** or **structure** must be set back 3.5

metres from the centreline of a **lane**.

- (B) A lawfully erected principal **building** or **structure** that does not comply with (i), (ii) or (iii) may be added to, enlarged or altered above the **first floor**, if the enlargement or alteration is not closer to the **lot line** than the **first floor main walls** in existence on the date of the passing of this By-law.

5.10.50 Yards

5.10.50.10 Landscaping

(1) Landscaping

Unless otherwise stated in this By-law, any portion of a yard not covered by permitted **buildings, structures, parking spaces, loading spaces, driveways, open storage**, outdoor display or outdoor operations, must be used only for **landscaping**.

(2) Ramp or Elevating Device for a Disabled Person Access

The area covered by an access ramp or elevating device, that provides barrier-free access from ground to the **first floor** of the principal **building**, is deemed to be **landscaped** for the purpose of calculating **landscaped** area.

(3) Landscaping Requirement When Abutting a Lot in a Residential Zone Category

Unless otherwise stated in this By-law, if a **lot** is not in a residential zone category and it abuts a **lot** that is in a residential zone category, a minimum 1.5 metre wide strip of land used only for **soft landscaping** must be provided along the part of the **lot line** abutting the **lot** in the residential zone category.

5.10.60 Ancillary Buildings and Structures

5.10.60.1 General

(1) Ancillary Building or Structure Construction Timing

Unless otherwise stated in this By-law, no above-ground part of an **ancillary building** or **structure** is to be erected prior to the erection of the **main walls** and completion of the roof of a principal **building** on the same **lot**.

(2) Satellite Dish Not Mounted on a Principal Building

If not mounted on a principal **building**, a satellite dish or an **ancillary structure** supporting or containing a satellite dish must comply with the following:

(A) it may not be located in a **front yard** or a **side yard** that abuts a **street**;

(B) it may not be located closer to a **side lot line** or **rear lot line** than a distance equal to the greater of:

(i) the diameter or largest width of the satellite dish; and

(ii) if located 3.0 metres or more from the principal **building**, half the height of the **structure**; or

(iii) if located less than 3.0 metres from the principal **building**, the applicable required yard setback for the principal **building**; and

(C) if located on a **lot** that is adjacent to a **lot** in a residential zone category, the maximum height is 5.0 metres, measured from the ground at its base to the top of its uppermost element.

(3) Satellite Dish on the Roof of a Principal Building

If a satellite dish is mounted on the roof of a principal **building**, it may not be located closer to any **main wall** than a distance equal to the largest radius of the satellite dish.

(4) Satellite Dish On a Building but not the Roof

If a satellite dish is located on a principal **building** other than the roof, it must comply with the **building setback** requirements for the principal **building**.

5.10.60.10 Location

(1) Restriction in Front Yard

Unless otherwise stated in this By-law, an **ancillary building** or **structure** is not permitted in a **front yard**.

5.10.60.20 Setbacks

(1) Parts of a Building to which a Required Yard Setback Applies

Unless otherwise stated in this By-law, required yard setback regulations apply to all parts of an **ancillary building** or **structure** above and below grade.

5.10.60.40 Height

(1) Height of Ancillary Building and Structures - Flight Path

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

(A) this By-law; or

(B) the Government of Canada.

5.10.75 Energy Regulations

5.10.75.1 General

(1) Distribution of Energy From Renewable Energy and Cogeneration Energy Sources

The **distribution** of energy derived from **renewable energy** sources and **cogeneration energy** sources, using wires or pipes is permitted in all zones of this By-law if:

(A) the **distribution** of the **renewable energy** and **cogeneration energy** produced complies with all municipal, provincial and federal, by-laws, statutes and regulations; and

(B) the **distribution** of **renewable energy** and **cogeneration energy** is carried out in compliance with all other applicable regulations of this By-law.

5.10.80 Parking

5.10.80.1 General

(1) Requirement to Provide Parking Spaces

Unless otherwise stated in this By-law, **parking spaces** are to be provided for each use on a **lot** in an amount that complies with the regulations in Chapter 200 - **Parking Space Regulations**.

(2) Required Parking Space

Unless otherwise stated in this By-law, if this By-law requires one or more off-**street parking spaces** to be provided on a **lot**, that **parking space** must be available for the parking of a **vehicle** associated with the use for which it is required.

5.10.80.10 Location

(1) Location of Required Parking Spaces

Unless otherwise stated in this By-law, a **parking space** must be located on the **lot** containing the use for which the **parking space** is required.

5.10.80.20 Setbacks

(1) Parking Space Setback from a Lot Line

Unless otherwise stated in this By-law, a **parking space** may not be located less than 0.5 metres from a **lot line**.

5.10.80.40 Access to Parking Space

(1) Drive Aisle Width

Unless otherwise stated in this By-law the following **drive aisle** widths apply:

(A) If the centreline of a **parking space** is at an interior angle of 70 to 90 degrees to the centreline of the **drive aisle** providing access, the minimum width for that one or two **lane drive aisle** is 6.0 metres;

(B) If the centreline of a **parking space** is at an interior angle from 50 to less than 70 degrees to the centreline of the **drive aisle** providing access, the minimum width for that **drive aisle** is 5.5 metres for each **lane**;

(C) If the centreline of a **parking space** is at an interior angle of less than 50 degrees from the centreline of the **drive aisle** providing access, the minimum width for that **drive aisle** is 4.0 metres for each **lane**.

5.10.90 Loading

5.10.90.1 General

(1) Requirement to Provide Loading Spaces

Unless otherwise stated in this By-law, **loading spaces** are to be provided and maintained for each use on a **lot**, in compliance with the regulations in Chapter 220.

5.10.90.10 Location

(1) Loading Space Location

Unless otherwise stated in this By-law, a **loading space** may not be located in:

(A) a **front yard**; or

(B) a **side yard** abutting a **street**.

5.10.90.40 Access to Loading Space

(1) Access to a Loading Space

Unless otherwise stated in this By-law, access to a **loading space** in a principal **building** may not be located in:

- (A) the **front wall**; or
- (B) a side **main wall** facing a **street**.

5.10.150 Waste

5.10.150.1 General

(1) Storage of Waste

Unless otherwise stated in this By-law, waste material and **recyclable material** must be stored in a wholly enclosed **building**.

5.10.210 Fence

5.10.210.1 General

(1) Fences

A fence required by this By-law must be constructed and located according to the regulations of Chapter 447, Fences, of the City of Toronto Municipal Code, as amended.

(2) Fences - Exemption from setback requirements

A line fence is not required to comply with the minimum **building** set back requirements on the **lot**.

Chapter 10 Residential

10.5 Regulations Applying to the Residential Zone Category

10.5.1 General

10.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations in Section 10.5 apply to lands, uses, **buildings** and **structures** in the R, RD, RS, RT and RM zones of the Residential Zone Category.

(2) Interpretation of the Residential Zone String

The zone label on the Zoning By-law Map for zones in the residential zone category consists of the zone symbol R, RD, RS, RT or RM, indicating the primary land use, including **building** type, permitted in the respective zone, which may be followed, by one or more of the following components of the zone string:

(A) the letter 'f' with an associated numerical value, indicating the minimum **lot frontage** required for a **lot**, in metres;

(B) the letter 'a' with an associated numerical value, indicating the minimum **lot area** required for a **lot**, in square metres;

(C) the letters 'au' with an associated numerical value, indicating the minimum **lot area** required for each **dwelling unit** on a **lot**, in square metres;

(D) the letter 'u' with an associated numerical value, indicating the maximum number of **dwelling units** permitted on a **lot**;

(E) the letter 'd', with an associated numerical value, indicating the maximum **Floor Space Index** permitted for a **lot**.

10.5.30 Lot Requirements

10.5.30.20 Frontage

(1) Designated Front Lot Line for Through Lots

Despite regulation 5.10.30.20 (4), on a **through lot** in the residential zone category, any **lot line** separating the **lot** from a **street** may be selected as the **front lot line**, if:

(A) the **lot line** is not separated from the **street** by a 0.3 metre reserve; and

(B) the **lot line** abuts a **street** where an adjacent **lot** has its **front lot line** on the same **street**.

10.5.30.40 Coverage

(1) Lot Coverage Exclusion for Permitted Encroachments

In the residential zone category, any part of a **building** or **structure** permitted to encroach into a required yard setback in 10.5.40.60 is not included in the calculation of **lot coverage**.

(2) Parts of Platforms that are Not Permitted Encroachments

In the residential zone category, any part of a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, that does not encroach into a required yard setback is not included in the calculation of **lot coverage**, if:

(A) it is attached to or less than 0.3 metres from a principal **building**; and

(B) the **lot area** covered by these parts, in total, is not more than 5% of the **lot area**.

(3) Ancillary Buildings and Structures

Unless otherwise stated in this by-law, an **ancillary building** or **structure** on a **lot** in the residential zone category, other than swimming pools or other **ancillary structures** used to hold water, such as fountains or artificial ponds:

(A) is included in the overall calculation of **lot coverage**; and

(B) the area of the **lot** covered by all **ancillary buildings** and **structures** is not to exceed,

(i) if the minimum required **lot area** is less than 975 square metres, 10% of the **lot area**, or

(ii) if the minimum required **lot area** is 975 square metres or greater, 5% of the **lot area**.

(4) Swimming Pools or Similar Ancillary Structures Containing Water

In the residential zone category, the water surface area of swimming pools or other **ancillary structures** used to hold water, such as fountains or artificial ponds is not included in the calculation of **lot coverage** if water surface area does not exceed 15% of the **lot area**.

10.5.30.200 Exemptions

(1) Existing Lots Not Complying with Minimum Lot Area

If a **residential building** existed on a **lot** in the residential zone category on the date of the enactment of this By-law, and the **lot** has a **lot area** less than that required by this By-law, the minimum **lot area** for that **lot** is the actual **lot area** that lawfully existed on the date of the enactment of this By-law.

(2) Existing Lots Not Complying with Minimum Lot Frontage

If a **residential building** existed on a **lot** in the residential zone category on the date of the enactment of this By-law, and the **lot** has a **lot frontage** less than that required by this By-law, the minimum **lot frontage** for that **lot** is the actual **lot frontage** that lawfully existed on the date of the enactment of this By-law.

(3) Existing Lots Not Complying with Maximum Lot Coverage

If a **residential building** existed on a **lot** in the residential zone category on the date of the enactment of this By-law, and the **lot** has an actual **lot coverage** greater than that permitted by this By-law, the maximum **lot coverage** for that **lot** is equal to the

percentage of the **lot** covered by all **buildings** that lawfully existed on the date of the enactment of this By-law.

10.5.40 Principal Building Requirements

10.5.40.1 General

(1) Application of this Article

The regulations in Article 10.5.40 apply to principal **buildings** or **structures** in the residential zone category.

(2) Number of Buildings on a Lot

Unless otherwise stated, only one principal **building** is permitted on a **lot** in an Residential Zone category.

10.5.40.10 Height

(1) Determining the Height of a Principal Building

Unless otherwise stated in this By-law, in the residential zone category the height of a principal **building** is measured as the distance between the elevation of the **established grade** and the elevation of the highest point on the **building**.

(2) Determining the Height of an Ancillary Building or Structure

Unless otherwise stated in this By-law, in the residential zone category the height of an **ancillary building** or **structure**, other than a **structure** located on a principal **building**, is the distance from the elevation of the **average grade** around the perimeter of the **ancillary building** or **structure** to the elevation of the highest part of the **ancillary building** or **structure**.

(3) Exemptions for Building Elements and Structures

Despite regulations 5.10.40.10 (3) and 5.10.40.10 (4), in the residential zone category the following **structures** may exceed the maximum height for a principal **building** by 1.5 metres if they are on a principal **building**, other than an **apartment building** having a height greater than 17.0 metres:

Flagpole

Antenna

Satellite dish

Chimney

Vent

Weather vanes

10.5.40.20 Building Length

(1) Portion of Building to which Building Length Applies

Unless otherwise stated in this By-law, in the residential zone category, **building length** regulations apply to all **main walls** of a principal **building** above and below grade.

(2) Exclusion from Building Length

In the residential zone category, any part of a principal **building** or **structure** permitted to encroach into a required yard setback in 10.5.40.60 is excluded from the calculation of **building length**.

10.5.40.30 Building Depth

(1) Portion of Building to which Building Depth Applies

Unless otherwise stated in this By-law, in the residential zone category, **building depth** regulations apply to all **main walls** of a principal **building** above and below grade.

(2) Exclusion from Building Depth

In the residential zone category, any part of a principal **building** or **structure** permitted to encroach into a required yard setback in 10.5.40.60 is excluded from the calculation of **building depth**.

10.5.40.40 Floor Area

(1) Exclusion of Basement from Gross Floor Area in a Residential Building

Despite the definition of **gross floor area** in this By-law, for a **lot** in a residential zone category, the **gross floor area** of a **residential building** does not include the **basement**, unless the elevation of the **established grade** is higher than the elevation of the **average grade** along the rear **main wall** of the **residential building** by 2.5 metres or more, in which case 50% of the **gross floor area** of the **basement** is included.

10.5.40.50 Amenity Space

(1) Interpretation of Platform Walls

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

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

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

10.5.40.60 Permitted Encroachments

(1) Platforms

In the residential zone category, a platform without **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a principal **building**, may encroach into a required yard setback for the **building** as follows:

(A) in a **front yard**, a platform may encroach into the required **front yard setback** the lesser of 2.5 metres or 50% of the required **front yard setback**, if it is no closer to a **side lot line** than the required **side yard setback**;

(B) in a **rear yard**, a platform with a finished floor no higher than the finished **first floor** of the principal **building** may encroach into the required **rear yard setback** the lesser of 2.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than the greater of:

(i) 0.3 metres, or

- (ii) a distance equal to the vertical distance between the highest part of the finished floor of the platform and the **average grade** at the applicable side of the platform;
- (C) in a **rear yard**, a platform with a finished floor higher than the finished **first floor** of the principal **building** may encroach into the required **rear yard setback** the lesser of 1.5 metres or 50% of the required **rear yard setback**, if it is no closer to a **side lot line** than:
 - (i) the required **side yard setback**; plus
 - (ii) the vertical distance between the finished **first floor** of the **building** and the elevation of the **average grade** along the building's rear **main wall**;
- (D) in a **side yard**, a platform with a finished floor no higher than the finished **first floor** of the principal **building** may encroach into the required **side yard setback** a maximum of 1.5 metres, if it is no closer to the **side lot line** than 0.3 metres; and
- (E) in a **side yard**, a platform with a finished floor higher than the finished **first floor** of the principal **building** may encroach into the required **side yard setback** a maximum of 1.5 metres if the **side yard** abuts a **street**, and it is not to encroach into a required **side yard setback** if the **side yard** does not abut a **street**.

(2) Canopies and Awnings

Despite regulation 5.10.40.60 (1), in the residential zone category a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform meeting the requirements of regulation 10.5.40.60 (1), may encroach into a required yard setback as follows:

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

(3) Exterior Stairs, Access Ramp and Elevating Device

- (A) Exterior stairs providing access to a principal **building** or **structure** in the residential zone category may encroach into a required yard setback, if the stairs:
 - (i) are no longer than 1.5 horizontal units for each 1.0 vertical unit above finished grade at the point where the stairs meet the **building** or **structure**;
 - (ii) are no wider than 2.0 metres; and
 - (iii) are no closer to the **lot line** than 0.6 metres.

- (B) An uncovered ramp providing access to a principal **building** or **structure** in the residential zone category may encroach into a required yard setback, if the ramp:
- (i) is no longer than 12 horizontal units for each 1.0 vertical unit above finished grade at the point where the ramp meets the **building** or **structure**;
 - (ii) is no wider than 1.5 metres for each sloped ramp segment; and
 - (iii) is no closer to the **lot line** than 0.6 metres.
- (C) An elevating device providing access to a principal **building** or **structure** in the residential zone category may encroach into a required yard setback, if the elevating device:
- (i) elevates no higher than the **first floor** of the **building**;
 - (ii) has a maximum area of 3.0 square metres; and
 - (iii) is no closer to the **lot line** than 0.6 metres.

(4) Exterior Main Wall Surface

Cladding added to the original exterior surface of the **main wall** of an existing principal **building** in the residential zone category may encroach into a required yard setback a maximum of 0.15 metres, if the added cladding is no closer to the relevant **lot line** than 0.3 metres.

(5) Architectural Features

Architectural features on a principal **building** in the residential zone category are to comply with the following:

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

(6) Window Projections

A bay window, box window, or other window projection from a **main wall** of a principal **building** in the residential zone category, which increases floor area or enclosed space but does not touch the ground, may encroach:

- (A) into a required front or **rear yard setback** a maximum of 0.75 metres, if these features in total do not occupy more than 65% of the width of the front or rear **main wall** at each **storey**; and

(B) into a required **side yard setback** a maximum of 0.6 metres, if these features:

- (i) in total do not occupy more than 30% of the width of the side **main wall** at each **storey**, and
- (ii) are no closer to the **side lot line** than 0.6 metres.

(7) Roof Projections

Roof projections on a principal **building** in the residential zone category are to comply with the following, pertaining to required yard setbacks:

(A) a dormer projecting from the surface of a roof is not to have any wall of the dormer closer to a **lot line** than the required yard setback for the principal building's **main wall**; and

(B) the eaves of a roof may encroach into a required yard setback a maximum of 0.9 metres, if they are no closer to the **lot line** than 0.3 metres.

(8) Equipment

Wall mounted equipment on a principal **building** in the residential zone category may encroach into a required yard setback as follows, if the equipment is no closer to the **lot line** than 0.3 metres:

(A) vents, pipes, and utility equipment may encroach into a required rear or **side yard setback** a maximum of 0.6 metres;

(B) a satellite dish may encroach into a required yard setback a maximum of 0.9 metres;

(C) an antenna, and any pole used to hold an antenna, may encroach into a required rear or **side yard setback** a maximum of 0.9 metres; and

(D) an air conditioner may encroach into a required

- (i) **side yard setback** a maximum of 0.9 metres, if it is not located above the **first floor**, and

- (ii) **rear yard setback** a maximum of 0.9 metres.

10.5.40.70 Setbacks

(1) Front Yard Setback - Averaging

In the residential zone category, if a **lot** is located:

(A) beside one **lot** in the residential zone category, and that abutting **lot** has an existing principal **building** fronting on the same **street** and located, in whole or in part, 15.0 metres or less from the subject **lot**, the minimum required **front yard setback** is the existing **front yard setback** of that principal **building** on the abutting **lot**; or

(B) between two abutting **lots** in the residential zone category, each with an existing principal **building** fronting on the same **street** and located, in whole or in part, 15.0 metres or less from the subject **lot**, the minimum required **front yard setback** is the average of the existing **front yard setbacks** of those principal **buildings** on the abutting **lots**.

10.5.40.80 Separation

(1) Distance Between Residential Buildings on the Same Lot

In the residential zone category, if two or more **residential buildings** are located on the same **lot**, the minimum above ground separation distance between the **main walls** of the respective **buildings** is:

(A) for any portion of the **buildings** having a height equal to or less than 11.0 metres,

- (i) 5.5 metres if one or more of the **buildings** have no openings to **dwelling units** in the relevant **main wall**, and
- (ii) 11.0 metres if each relevant **main wall** has openings to **dwelling units**; and

(B) 25.0 metres for any portion of the **buildings** having a height greater than 11.0 metres.

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

In the residential zone category, if a **townhouse** or **apartment building** has **main walls** where a line projected at a right angle from one of these walls intercepts the other wall, the minimum above ground distance between those **main walls** is:

(A) for the **townhouse**, or for any portion of the **apartment building** having a height equal to or less than 11.0 metres,

- (i) 5.5 metres if one or more of the relevant **main walls** have no openings to **dwelling units**, and
- (ii) 11.0 metres if each relevant **main wall** has openings to **dwelling units**; and

(B) 25.0 metres for any portion of the **apartment building** having a height greater than 11.0 metres.

10.5.40.200 Exemptions

(1) Existing Buildings Not Complying With Maximum Height

If on the date of enactment of this By-law, in a residential zone category, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by this By-law, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this By-law; any addition, extension or alteration to the **building** or **structure** must comply with all the applicable requirements of this By-law.

(2) Existing Buildings Not Complying With Maximum Building Length

If on the date of enactment of this By-law, in a residential zone category, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **building length**, or has a **building length** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **building length** is greater than the **building length** permitted by this By-law, then the maximum **building length** for that existing **building** or **structure** is its **building length** on the date of enactment of this By-law; any addition, extension or alteration to

the **building** or **structure** must comply with all the applicable requirements of this By-law.

(3) Existing Buildings Not Complying With Maximum Building Depth

If on the date of enactment of this By-law, in a residential zone category, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **building depth**, or has a **building depth** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **building depth** is greater than the **building depth** permitted by this By-law, then the maximum **building depth** for that existing **building** or **structure** is its **building depth** on the date of enactment of this By-law; any addition, extension or alteration to the **building** or **structure** must comply with all the applicable requirements of this By-law.

(4) Existing Buildings Not Complying With Maximum Floor Area

If on the date of enactment of this By-law, in a residential zone category, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **gross floor area**, or has a **gross floor area** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **gross floor area** is greater than the **gross floor area** permitted by this By-law, then the maximum **gross floor area** for that existing **building** or **structure** is its **gross floor area** on the date of enactment of this By-law; any addition, extension or alteration to the **building** or **structure** must comply with all the applicable requirements of this By-law.

(5) Existing Buildings Not Complying With Minimum Yard Setbacks

If on the date of the enactment of this By-law, in a residential zone category, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **building setbacks** or has a **building setback** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance, and is set back from a **front lot line**, **rear lot line** or any **side lot line** less than that required by this By-law, then the minimum **front yard setback**, **rear yard setback** or **side yard setback** for that existing **building** or **structure** is the greater of:

- (A) the actual **building setback** from the **front lot line**, **rear lot line** or **side lot line** that lawfully existed on the date of the enactment of this By-law; or
- (B) the **building setback** from the **front lot line**, **rear lot line** or **side lot line** required by the residential zone in which the **lot** is located.

(6) Existing Buildings Not Complying With Minimum Separation Between Buildings

If on the date of the enactment of this By-law, in the residential zone category, two or more lawfully erected **buildings** are located on the same **lot** and complied with the applicable former zoning bylaw for **building separation** and have an existing above ground separation distance between the **buildings** that is less than that required by this By-law, then the minimum above ground separation distance required between those existing **buildings** is the separation distance that lawfully existed on the date of the enactment of this By-law; any addition, extension or alteration to a **building** must comply with all the requirements of this bylaw.

(7) Existing Buildings Not Complying With Minimum Separation Between Main Walls of the Same Building

If on the date of the enactment of this By-law, in the residential zone category, a lawfully erected **building** complied with the applicable former zoning bylaw for above ground separation distance between the **main walls** of the same **building** that face each other, and has an above ground separation distance between the **main walls** of the same **building** that face each other, that is less than that required by this By-law,

then the minimum above ground separation distance between those parts of the existing **main walls** is the separation distance which lawfully existed on the date of the enactment of this By-law; any addition, extension or alteration to a **building** must comply with all the requirements of this By-law.

(8) Additions to an Existing Building Not Complying With Minimum Yard Setbacks

In the case of a **side yard setback** established by regulation 10.5.40.200 (5), if a **lot** in the residential zone category has a minimum **lot frontage** of less than 12.0 metres and contains a **detached house**, **semi-detached house** or **duplex** then:

(A) a second floor addition to a principal **building** is permitted if it,

- (i) is not closer to a **side lot line** than the **main walls** of the existing **building**, and
- (ii) complies with all other applicable regulations of this by-law; and

(B) a rear addition to a principal **building** is permitted if,

- (i) it is not closer to a **side lot line** than the existing **building** and the existing **building setback** from a **side lot line** is not less than 50% of the minimum **building setback** from a **side lot line** that would otherwise be required by this By-law, and
- (ii) the rear addition complies with all other applicable regulations of this By-law.

10.5.50 Yards

10.5.50.10 Landscaping

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

In the Residential Zone category, if a **driveway** is located in the **front yard** of a **lot** with a **detached house**, **semi-detached house**, **duplex**, **triplex**, **fourplex** or **townhouse**, the following **front yard landscaping** regulations apply:

- (A) for **lots** with a **lot frontage** less than 6.0 metres, or a **townhouse dwelling unit** less than 6.0 metres wide, the **front yard** not covered by a permitted **driveway** must be used for **landscaping**;
- (B) for **lots** with a **lot frontage** of 6.0 metres to less than 15.0 metres, or a **townhouse dwelling unit** not less than 6.0 metres wide, a minimum of 50% of the **front yard** must be used for **landscaping**;
- (C) for **lots** with a **lot frontage** of 15.0 metres or greater, a minimum of 60% of the **front yard** must be used for **landscaping**; and
- (D) a minimum of 75% of the **landscaped front yard** required in (A), (B), and (C) above, must be used for **soft landscaping**.

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

In the residential zone category, a minimum of 50% of the **rear yard** of any **lot** with a

residential building, other than an **apartment building**, must be used for **soft landscaping**.

(3) Landscaping Requirement for an Apartment Building

If a **lot** in the residential zone category contains an **apartment building**:

(A) a minimum of 50% of the area of the **lot** must be used for **landscaping**; and

(B) a minimum of 50% of the **landscaped** area required in (A), above, must be used for **soft landscaping**.

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

If a **lot** in the residential zone category contains an **apartment building**, a minimum 1.5 metre wide strip of land used only for **soft landscaping** must be provided along any part of a **lot line** abutting another **lot** in the residential zone category.

(5) Landscaping Exclusion for Permitted Encroachments

In the residential zone category, the calculation of **landscaping** or **soft landscaping** required by 10.5.50.10 (1), (2) and (3), is to exclude the yard setback area covered by any part of a principal **building** or **structure** permitted to encroach into a required yard setback in 10.5.40.60.

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

In the residential zone category, for the purpose of determining the amount of **soft landscaping** required by 10.5.50.10 (2) and (3), the area of **soft landscaping** may include the water surface area of swimming pools or other **ancillary structures** used to hold water, such as fountains or artificial ponds.

10.5.60 Ancillary Buildings and Structures

10.5.60.1 General

(1) Application of this Article

The regulations in Article 10.5.60 apply to detached **ancillary buildings** or **structures** in the residential zone category.

(2) Living Accommodation in Ancillary Buildings

An **ancillary building** in the residential zone category may not be used for living accommodation.

(3) Food or Sanitary Facilities in Ancillary Buildings

An **ancillary building** in the residential zone category is not to contain food preparation facilities or sanitary facilities, unless they are for indoor **amenity space** required by this By-law.

10.5.60.20 Setbacks

(1) Front Yard Setback for Ancillary Buildings or Structures

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

(2) Rear Yard Setback for Ancillary Buildings or Structures

Unless otherwise stated, the minimum **rear yard setback** for an **ancillary building** or **structure** in the residential zone category is:

- (A) 0.3 metres, if its:
 - (i) height is 2.0 metres or less; and
 - (ii) **gross floor area** is 10 square metres or less; or
 - (B) 50% of its height, if its:
 - (i) height is greater than 2.0 metres; or
 - (ii) **gross floor area** is greater than 10 square metres; except
 - (C) on a **through lot**, despite (A) and (B) above, if a principal **building** on an adjacent **lot** fronts on the **street** that abuts the **rear lot line** of the **through lot**, equal to the minimum **front yard setback** required for the principal **building** on the adjacent **lot**.
- (3) Side Yard Setback for Ancillary Buildings or Structures
- Unless otherwise stated, the minimum **side yard setback** for an **ancillary building** or **structure** in the residential zone category if it is located:
- (A) in a **side yard**, is the same as the minimum **side yard setback** required for the principal **building**;
 - (B) in a **rear yard** and less than 1.8 metres from the principal **building**, is the same as the minimum **side yard setback** required for the principal **building**; and
 - (C) in a **rear yard** and 1.8 metres or more from the principal **building**:
 - (i) is 0.3 metres, if its:
 - (a) height is 2.0 metres or less and
 - (b) **gross floor area** is 10 square metres or less, or
 - (ii) is 50% of its height, if its:
 - (a) height is greater than 2.0 metres or
 - (b) **gross floor area** is greater than 10 square metres; except
 - (iii) on a **corner lot**, despite (i) and (ii) above, if a principal **building** on an adjacent **lot** fronts on the **street** that abuts the **side lot line** of the **corner lot**, is equal to the minimum **front yard setback** required for the principal **building** on the adjacent **lot**.
- (4) Rear Yard Setback for Detached Private Garages
- In the residential zone category, the minimum **rear yard setback** for an **ancillary building** or **structure** containing a **parking space** must be in accordance with 10.5.60.20 (2), except:
- (A) if the **rear lot line** abuts a **lane** and access to the **parking space** in the **ancillary building** is from the **lane**, then the minimum **rear yard setback** is 1.0 metres; and

- (B) if it is on a **through lot**, and **vehicle** access is from the **street** abutting the **rear lot line**, then the minimum **rear yard setback** is the greater of:
 - (i) the minimum **front yard setback** required for a principal **building** on the adjacent **lot** that fronts on the same **street** that the **rear lot line** abuts; and
 - (ii) 6.0 metres.

(5) Side Yard Setback for Detached Private Garages

In the residential zone category, the minimum **side yard setback** for an **ancillary building or structure** containing a **parking space** must be in accordance with 10.5.60.20 (3), except:

- (A) if a **side lot line** abuts a **lane**, and access to the **parking space** is from the **lane** then the **building setback** from that **side lot line** is 1.0 metres; and
- (B) if it is on a **corner lot**, and **vehicle** access is from the **street** abutting the **side lot line** abutting the **street** the minimum **rear yard setback** is the greater of:
 - (i) the minimum **front yard setback** required for a principal **building** on the adjacent **lot** that fronts on the same **street** that the **side lot line** abuts; and
 - (ii) 6.0 metres.

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

If an **ancillary building or structure** contains required **parking spaces** for **dwelling units** on abutting **lots** in the residential zone category, it may be located on the common **side lot line**.

(7) Rear Yard Setback for Swimming Pools or Similar Ancillary Structures Containing Water

Despite 10.5.60.20 (2), in the residential zone category, the minimum **rear yard setback** for a swimming pool or other **ancillary structure** used to hold water, such as a fountain or artificial pond, is:

- (A) if it is on a **lot** with a **residential building** other than an **apartment building**,
 - (i) 1.2 metres,
 - (ii) 3.0 metres, if it is on a **corner lot** and if an adjacent **lot** fronts on the **street** abutting the corner lot's **side lot line**, and
 - (iii) 25.0 metres, if it is on a **through lot** and if an adjacent **lot** fronts on the **street** abutting the through lot's **rear lot line**;

and

- (B) if it is on a **lot** with an **apartment building**,

- (i) 4.5 metres, and
- (ii) 7.5 metres, if it is on a **through lot**.

(8) Side Yard Setback for Swimming Pools or Similar Ancillary Structures Containing Water

Despite 10.5.60.20 (3), in the residential zone category, the minimum **side yard setback** for a swimming pool or other **ancillary structure** used to hold water, such as a fountain or artificial pond, is:

- (A) if it is on a **lot** with a **residential building** other than an **apartment building**,
 - (i) the greater of 1.2 metres, or the **side yard setback** required by 10.5.60.20 (3), and
 - (ii) if it is on a **corner lot**, the minimum **side yard setback** for a principal **building** on the **lot**, plus 1.5 metres, from the **side lot line** abutting a **street**;

and

- (B) if on a **lot** with an **apartment building**,
 - (i) 4.5 metres, and
 - (ii) if it is on a **corner lot**, 7.5 metres from the **side lot line** abutting a **street**.
- (9) Front and Side Yard Setbacks for Ground Mounted Heating or Air-Conditioning Devices
- In the residential zone category, a heating or air-conditioning device that is mounted on the ground must comply with the following:

- (A) despite 10.5.60.20 (1), the device may be located in a **front yard**, if it is at least 6.0 metres from the **front lot line**; and

- (B) despite 10.5.60.20 (3), the minimum **side yard setback** for the device is:

- (i) 1.5 metres; and
- (ii) if it is on a **corner lot**, 3.0 metres from the **side lot line** abutting a **street**.

(10) Rear and Side Yard Setbacks for Open Platforms

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

- (A) 0.3 metres; or

- (B) a distance equal to the largest vertical distance between any part of the finished floor of the platform and the ground below it.

10.5.60.30 Separation

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

Unless otherwise stated, in the residential zone category, an **ancillary building** or **structure** with a height greater than 2.5 metres, or a **gross floor area** greater than 10 square metres, must be at least 1.8 metres from a principal **building** on the same

lot.

(2) Minimum Separation Between Principal Buildings and Detached Private Garages

Despite 10.5.60.30 (1), in the residential zone category, an **ancillary building or structure** containing a **parking space** must be at least 4.0 metres from a principal **building** on the same **lot**.

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

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

10.5.60.40 Height

(1) Determining the Height of Ancillary Buildings or Structures

Unless otherwise stated in this By-law, in the residential zone category, the height of an **ancillary building or structure** is the distance from the elevation of the **average grade** to the elevation of the highest point of the **ancillary building or structure**.

(2) Maximum Height of Ancillary Buildings or Structures

The maximum height of an **ancillary building or structure** in the residential zone category is:

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

(3) Maximum Storeys for an Ancillary Buildings or Structures

An **ancillary building or structure** in the residential zone category, must not have more than one **storey**.

(4) Entrances to Ancillary Buildings or Structures

The maximum height of the top of an entrance into an **ancillary building or structure** in the residential zone category is 2.5 metres above the average elevation of the grade at the entrance to the **ancillary building or structure**.

(5) Height Restrictions for Platforms

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

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

10.5.60.50 Floor Area

(1) Exclusion from Floor Space Index

Despite the definition of **floor space index** in this By-law, for the purpose of calculating the **gross floor area** on a **lot** in a residential zone category, the **gross floor area** of **ancillary buildings and structures** is not included.

(2) Maximum Floor Area of Ancillary Buildings or Structures

The maximum total **gross floor area** of all **ancillary buildings** or **structures** on a **lot** in the residential zone category, other than swimming pools or other **structures** used to hold water, is:

(A) if the minimum required **lot area** is less than 975 square metres, 60.0 square metres; and

(B) if the minimum required **lot area** is 975 square metres or greater, 100.0 square metres.

(3) Maximum Floor Area of Ancillary Buildings or Structures Close to Principal Buildings

In the residential zone category, the maximum **gross floor area** of an **ancillary building** or **structure** located less than 1.8 metres from the principal **building** on the **lot** is 10.0 square metres.

10.5.60.200 Exemptions

(1) Small Ancillary Structures Containing Water

In the residential zone category:

(A) with a **residential building** other than an **apartment building**, the yard setback requirements in Clause 10.5.60.20 do not apply to an **ancillary structure** containing water if it has a water surface area of 1.0 square metres or less; and

(B) with an **apartment building**, the yard setback requirements in Clause 10.5.60.20 do not apply to an **ancillary structure** containing water if it has a water surface area of 3.0 square metres or less.

10.5.75 Energy Regulations

10.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device

A device producing **renewable energy** or **cogeneration energy** on a **lot** in the residential zone category may not be located in a **front yard** or a **side yard** that abuts a **street**.

(2) Cogeneration Energy Device

A **cogeneration energy** device on a **lot** in the residential zone category must comply with the minimum yard setbacks required for a principal **building** on the **lot**.

(3) Geo-energy Device

In addition to regulation 10.5.75.1 (1), any above-ground part of a geo-energy device on a **lot** in the residential zone category must comply with all other regulations for an **ancillary building** or **structure** on the **lot**.

(4) Solar Energy Device

In the residential zone category, a photovoltaic **solar energy** device or a thermal **solar energy** device:

(A) if located on a principal **building**,

(i) must comply with all the minimum yard setbacks required for the principal **building**, and

(ii) no part of the device is to be higher than

(a) 1.2 metres above the maximum height permitted for any **residential building** other than an **apartment building**, or

(b) 2.0 metres above the maximum height permitted for an **apartment building** or **non-residential building**;

and

(B) if not located on a principal **building**, must comply with the regulations for an **ancillary building** or **structure** on the **lot**.

(5) Wind Energy Device

In the residential zone category, a **wind energy** device must comply with the following:

(A) there must be no more than one **wind energy** device on a **lot**;

(B) all parts of a **wind energy** device on a **lot** are to comply with the minimum yard setbacks required for a principal **building** on the **lot**;

(C) if located on a **lot** with a **residential building** other than an **apartment building**, no part of a **wind energy** device is to be higher than 2.5 metres above the maximum height permitted for the principal **building**; and

(D) if located on a **lot** with an **apartment building** or **non-residential building**, no part of a **wind energy** device is to be higher than:

(i) 3.0 metres above the maximum height permitted for the principal **building**: if

(a) the maximum height permitted for the **building** is less than 24.0 metres; or

(b) the **lot** abuts another **lot** in the residential zone category; or

(ii) in all other cases, 5.0 metres above the maximum height permitted for the principal **building**.

10.5.80 Parking

10.5.80.1 General

(1) Charging for Visitor Parking

There must be no fee charged for a visitor **parking space** in the residential zone category.

(2) Ancillary Outdoor Area for Parking

In the residential zone category, for a **lot** with a **residential building** other than a **detached house** or **semi-detached house**, an **ancillary** outdoor area used for the parking or storing of more than 3 **vehicles** must comply with the following requirements:

- (A) no portion of the **ancillary** outdoor area is to be closer to a **residential building** on the same **lot** than 6.0 metres;
- (B) the **ancillary** outdoor area must be fenced;
- (C) the surface area used for the parking or storing of **vehicles** must be no closer to a fence than 1.5 metres;
- (D) the **ancillary** outdoor area must be no closer to a **lot line** that abuts a **street** than the greater of:
 - (i) 6.0 metres; or
 - (ii) the distance that a **residential building** on an adjoining **lot** is set back from its **lot line** abutting the same **street**;

and

- (E) one shelter for attendants is permitted, if it:
 - (i) has a maximum height of 3.0 metres,
 - (ii) has a maximum floor area of 5.0 square metres, and
 - (iii) is no closer to any **lot line** abutting a **street** than 6.0 metres.

(3) Use of Required Parking in All Zones

Unless otherwise stated in this By-law, a **parking space** required for a use is for the exclusive use of the occupants or patrons of that use.

(4) Bachelor Unit Size for Parking Space Calculation

For the purpose of calculating **parking space** requirements, bachelor **dwelling unit** must not have an **interior floor area** greater than 45 square metres.

10.5.80.10 Location

(1) Parking Space Location for Apartment Buildings

In the residential zone category, a minimum of 50% of the required **parking spaces** for an **apartment building**, other than required visitor **parking spaces**, are to be located in a **building** or underground **structure**.

(2) Street Yard Parking

Unless otherwise stated in this By-law, in the residential zone category a required **parking space** must not be located in a **front yard** or a **side yard** abutting a **street**.

(3) Parking in the Front Yard

In the residential zone category, despite 5.10.80.20 (1) and 10.5.80.10 (2), for a **detached house**, a **semi-detached house**, a **duplex**, and for an individual **townhouse dwelling unit** where an individual private **driveway** leads directly to the **dwelling unit**, a **parking space** may be located in the **front yard** if it is:

- (A) on a **driveway**;
- (B) in tandem with a required **parking space** located behind the **front yard**; and
- (C) entirely within 7.0 metres of the **main wall** of the principal **building**.

(4) Tandem Parking Spaces for a Secondary Suite

Despite 10.5.80.10.(2) and 5.10.80.20 (1) in the residential zone category a required **parking space** for a **secondary suite** in a **detached house**, **semi-detached house** or **townhouse**, or for the **dwelling units** in a **duplex**, may be a **parking space** in tandem with another required **parking space**.

(5) Corner Lot Parking Space Location

On a **corner lot** in the residential zone category, a required **parking space** may be located:

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

(6) Rear Yard Parking

In the residential zone category with a **detached house**, a **semi-detached house** or a **duplex**, a maximum of 2 **parking spaces** may be located in the **rear yard**, if the **lot** meets the **landscaping** requirements of 10.5.50.10.

(7) Parking or Storing of Recreational Vehicles

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

- (A) there is not more than one camper trailer or one boat trailer; and
- (B) the recreational **vehicles** are only stored in
 - (i) a **building**, or
 - (ii) a **parking space**, located in a part of the **rear yard** not required for **soft landscaping**.

(8) Commercial Vehicle Parking Restriction

A **parking space** on a **lot** in the residential zone category may be used for a commercial **vehicle**, if:

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

(9) Commercial Vehicle Parking Not Permitted in Yards

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

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

10.5.80.30 Separation

(1) Parking Space Separation from Apartment Building

In the residential zone category, no surface **parking space** must be within 3.0 metres of any **main wall** of an **apartment building**.

10.5.80.40 Access to Parking Space

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

In the residential zone category, if the minimum required **lot frontage** is less than 24.0 metres, the maximum combined width of all vehicular entrances through the **front wall** of a principal **building** is 6.0 metres.

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

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

10.5.80.200 Exemptions

(1) Front Yard Parking Exemption

If one or two **parking spaces** were lawfully located in the **front yard** on a **driveway** in the residential zone category on the date of the enactment of this By-law, those one or two **parking spaces** may remain until such time as the **building** is removed.

(2) Permission for Parking Space on Driveway

In the residential zone category, despite 5.10.80.20 (1) and 10.5.80.10 (2), if a lawfully constructed **driveway** existing on the date of the enactment of this By-law,

- (A) is on a **lot** with a **detached house** or **semi-detached house**,
- (B) has a width greater than 4.0 metres but not more than 6.0 metres, and
- (C) leads to only one **parking space** behind the main **front wall**, then 2 **parking spaces** may be located side-by-side if they are:

- (i) on the **driveway**; and
- (ii) entirely within 7.0 metres of the **front wall**.

10.5.100 Access to Lot

10.5.100.1 General

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

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

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

and

- (D) for **lots** with a **lot frontage** greater than 23.0 metres, a maximum **driveway** width the lesser of:
 - (i) 9.0 metres;
 - (ii) the cumulative width of side-by-side **parking spaces** behind the **front wall** if there is at least one **parking space** behind the **front wall** but not in the **rear yard**; or
 - (iii) 2.6 metres if there is a **parking space** in the **rear yard**.

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

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

- (A) a minimum width of 2.6 metres; and

- (B) a maximum width the lesser of:
 - (i) 6.0 metres; or
 - (ii) the width of the **parking spaces**.
- (3) Driveway Width for Triplex, Fourplex and Certain Types of Townhouse

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

 - (A) a minimum width of 2.6 metres for each **lane**; and
 - (B) a maximum total width of 6.0 metres.
- (4) Driveway Width for Apartment Buildings

For an **apartment building** in the residential zone category, a **driveway** must have:

 - (A) a minimum width of 3.0 metres for each **lane**; and
 - (B) a maximum total width of 6.0 metres.
- (5) Driveway Access to Apartment Buildings

If an **apartment building** in the residential zone category has 25 **dwelling units** or more, an unobstructed vehicular access must be provided between the **street** and the principal pedestrian entrance to the **building** so that a **vehicle** can enter and leave the **lot** while driving forward in one continuous movement.
- (6) Driveway with Two Points of Access to the Same Street

A **lot** in the residential zone category may have a **driveway** with two points of access to the same **street**, only if:

 - (A) the **lot** has a **lot frontage** greater than 18.0 metres; and
 - (B) the **front yard landscaping** complies with 10.5.50.10.
- (7) Hammerhead Turnaround Driveway Permitted on Certain Lots

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

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

In the residential zone category, a hammerhead turnaround if permitted must:

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

10.5.100.10 Location

(1) Parking Access on a Corner Lot

On a **corner lot** in the residential zone category:

- (A) if the **lot** abuts a **lane**, access to the required **parking space** must be only from the **lane**;
- (B) if the **lot** does not abut a **lane**, access to the required **parking space** on the **lot** must be from the flanking **street**, if that **street** is not a **street** shown on the Major **Streets** Overlay Map; and
- (C) if access cannot be provided in accordance with (A) or (B), access may be from the **street** on which the **lot** fronts.

10.5.150 Waste

10.5.150.1 General

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

All storage of waste and recyclable materials for an **apartment building** in the residential zone category must be within a wholly enclosed **building**.

10.10 Residential Zone (R)

10.10.1 General

10.10.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the R Zone is to provide a zone for a variety of **residential building** types, including **detached houses**, **semi-detached houses**, **townhouses**, **duplexes**, **triplexes**, **fourplexes** and **apartment buildings**, as well as a limited set of other uses suited to the residential setting.

10.10.1.10 Interpretation

(1) Application of This Section

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

10.10.20 Permitted Uses

10.10.20.10 Principal Use

(1) Principal Use – R Zone

The following principal uses are permitted in an R zone:

Park*

Dwelling Unit*, if it is located in a Permitted **Building** Type in Clause 10.10.20.40.

*This is a defined term in Chapter 800 of this By-law.

10.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – R Zone

- (A) The following uses containing shared accommodation are permitted in an R zone if they comply with the specific conditions set out for each use in Clause 10.10.20.100:

Seniors Community House* (1)

Group Home* (2)

Rooming House* (3)

Municipal Shelter* (4)

- (B) The following non-residential uses are permitted in an R zone if they comply with the specific conditions set out for each use in Clause 10.10.20.100:

Retail Store* (5)

Community Centre* (6)

Library (6)

Day Nursery* (7)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.10.20.100

10.10.20.30 Ancillary Use

(1) Ancillary Use – R Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an R zone if they comply with the specific conditions set out for each use in Clause 10.10.20.100:

Private-Home Day Care* (8)

Secondary Suite* (9)

Home Occupation* (10)

Tourist Home* (11)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.10.20.100.

10.10.20.40 Permitted Building Types

(1) Permitted Building Types – R Zone

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

Detached House*

Semi-Detached House*

Townhouse*

Duplex*

Triplex*

Fourplex*

Apartment Building*

*This is a defined term in Chapter 800 of this By-law.

10.10.20.100 Conditions

(1) Seniors Community House

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

(2) Group Home

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

(3) Rooming House

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

(4) Municipal Shelter

A **municipal shelter** in an R zone must comply with the specific use regulations in Section 150.22.

(5) Retail Stores in Apartment Buildings

In an R zone, one **retail store** is permitted in an **apartment building** containing 100 or more **dwelling units**, if:

(A) the **retail store** is not located above the **first floor** of the **apartment building**;

(B) access to the **retail store** is only from within the **apartment building**;

(C) there is no outside display of goods; and

(D) the **interior floor area** of the **retail store** is no more than 25.0 square metres for the first 100 **dwelling units**, plus 5.0 square metres for each additional 100 **dwelling units** in excess of 100, to a maximum of 70.0 square metres.

(6) Community Centre or Library

A **community centre** or a library is permitted in an R zone if it is operated by, or on behalf of, the City of Toronto.

(7) Day Nursery

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

(8) Private Home Daycare

A private home daycare is permitted in an R zone, if:

(A) it is in a **dwelling unit** that is located, in whole or in part, on the **first floor** of a **residential building**; and

(B) any outdoor children's play area is:

(i) fenced; and

(ii) not located in the **front yard** or a **side yard** abutting a **street**.

(9) Secondary Suite

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

(10) Home Occupation

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

(11) Tourist Home

In an R zone, a **tourist home** is to:

(A) be located in a **detached house**, a **semi-detached house** or a **townhouse**;

(B) have a maximum of 2 **bed-sitting rooms** available for tourist accommodation; and

(C) not have **vehicle** access by a mutual **driveway**.

10.10.30 Lot Requirements

10.10.30.10 Area

(1) Minimum Lot Area

(A) If a zone string applying to a **lot** in an R zone includes the letter 'a', as shown on the Zoning By-law Map, the numerical value following the letter 'a' is the minimum **lot area**, in square metres.

(B) If the zone string in an R zone does not include a numerical value following the letter 'a', the minimum **lot area**, in square metres, is the minimum required **lot frontage** multiplied by 30 metres.

10.10.30.20 Frontage

(1) Minimum Lot Frontage

(A) If a zone string applying to a **lot** in an R zone includes the letter 'f', as shown on the Zoning By-law Map, the numerical value following the letter 'f' is the minimum **lot frontage**, in metres.

(B) If the zone string in an R zone does not include a numerical value following the letter 'f', the minimum **lot frontage** is 6.0 metres.

- (C) The minimum **lot frontage** requirement for a **townhouse** cited in (A) or (B) above, may be reduced by 1.0 metres for each **dwelling unit** that does not have an individual private **driveway** leading directly to the front of it.
- (D) Despite (A), (B) and (C) above, if a **lot** in an R zone contains a **townhouse** with one or more **dwelling units** not fronting directly on a **street**, the minimum **lot frontage** is 30.0 metres.

10.10.30.40 Coverage

(1) Ancillary Buildings and Structures - R Zone

Despite 10.5.30.40 (3), in an R zone the area of the **lot** covered by **ancillary buildings** and **structures** is not to exceed 5% of the **lot area**, except for the following:

- (A) swimming pools or other **ancillary structures** used to hold water, if they comply with 10.5.30.40 (4); and
- (B) **ancillary buildings** or **structures** containing required **parking spaces**.

10.10.40 Principal Building Requirements

10.10.40.1 General

(1) Application of this Article

The regulations in Article 10.10.40 apply to principal **buildings** or **structures** in an R zone.

(2) Number of Dwelling Units on a Lot

If a zone string applying to a **lot** in an R zone includes the letter 'u', as shown on the Zoning By-law Map, the numerical value following the letter 'u' is the maximum number of **dwelling units** on the **lot**.

(3) Minimum Width of a Dwelling Unit

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

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

10.10.40.10 Height

(1) Maximum Height

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

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

(2) Maximum Height of Certain Main Walls

For a **residential building** in an R zone, other than an **apartment building**, the maximum height of a **main wall** is the higher of 6.5 metres or 3.0 metres less than the maximum height permitted for the **building** in 10.10.40.10 (1), for either:

- (A) all front and rear **main walls**; or
- (B) all side **main walls**.

(3) Roof Slope Restriction for a Detached House

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

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

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

(5) Height of First Floor Above Established Grade

In an R zone, for a **detached house** or a **semi-detached house**, the maximum height of the **first floor** above **established grade** is 1.2 metres.

(6) Height of the First Floor - Additions to Legal Non-complying Buildings

In an RM zone, if a lawfully erected **building** existing on the date of the enactment of this By-law has a finished **first floor** elevation higher than that permitted by this By-law, any permitted addition to that existing **building** may have a finished **first floor** elevation at or less than the elevation of the finished **first floor** of the existing **building**.

(7) Addition to an Existing Residential Building

In an R zone, all finished floor levels within an addition, extension or enlargement to the rear of a **residential building**, are to be no higher than the uppermost floor level in the existing **building**.

10.10.40.30 Building Depth

(1) Maximum Building Depth

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

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

10.10.40.40 Floor Area

(1) Floor Space Index

If a zone string applying to a **lot** in an R zone includes the letter 'd', as shown on the Zoning By-law Map, the numerical value following the letter 'd' is the maximum **floor space index** for the **lot**.

10.10.40.50 Amenity Space

(1) Amenity Space for an Apartment Building

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

- (A) a minimum of 2.0 square metres for each **dwelling unit** must be indoor **amenity space**;
- (B) a maximum of 25% of the outdoor component may be in the form of a **green roof**; and
- (C) a minimum of 40.0 square metres must be outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**.

10.10.40.70 Setbacks

(1) Minimum Front Yard Setback

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

(2) Minimum Rear Yard Setback

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

(3) Minimum Side Yard Setback

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

(A) 0.9 metres, for

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

(B) 1.2 metres, for

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

and

(C) 7.5 metres, for

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

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

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

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

10.10.60 Ancillary Buildings and Structures

10.10.60.20 Setbacks

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

Despite 10.5.60.20 (4) and (5), in an R zone the minimum rear or **side yard setback** for an **ancillary building** or **structure** containing a **parking space** is:

- (A) 1.0 metres from a rear or **side lot line** abutting a **street** or **lane**; and
- (B) no minimum yard setback is required from a rear or **side lot line** that does not abut a **street** or **lane**.

10.10.80 Parking

10.10.80.1 General

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

A **parking space** located inside a principal **building** in an R zone may be converted to habitable space, and no further **parking space** is required if on date of the enactment of this by-law:

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

10.10.80.40 Access to Parking Space

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

In an R zone, on a **corner lot** or a **lot** abutting a **lane**, **vehicle** access to any **parking space** on the **lot** must be from the **street** abutting a **side lot line** or from the **lane**.

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

Despite 10.5.80.40 (1), if a **lot** in an R zone has a **lot frontage** of 7.6 metres or less, a vehicular entrance through the **front wall** of a principal **building** is not permitted.

10.10.80.200 Exemptions

(1) Exemption from Parking Requirements for Certain Lots

In an R zone, despite the requirements of Chapter 200, **Parking Space** Regulations, for a **residential building** other than an **apartment building**, which is not on a **corner lot** or is not on a **lot** abutting a **lane**, a **parking space** is not required if:

(A) the **lot frontage** is 7.6 metres or less, if a deed to the **lot** was registered on or before July 2, 1996;

(B) the **lot** is severed to create a maximum of three **lots**, each with a maximum of one **dwelling unit** and a **lot frontage** of 7.6 metres or less, if the **lot** had not been the subject of a previous severance; or

(C) a **parking space** within the principal **building** has been converted to habitable space in accordance with 10.10.80.1 (1).

10.10.90 Loading

10.10.90.1 General

(1) Loading Space Options

If a **building** in an R zone contains 400 **dwelling units** or more, the requirement for a Type 'C' **loading space** is satisfied by the provision of a Type 'A' **loading space**, Type 'B' **loading space** or Type 'G' **loading space** instead.

10.20 Residential Detached Zone (RD)

10.20.1 General

10.20.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the RD Zone is to provide a zone for **detached houses**, as well as a limited set of other uses suited to the residential setting.

10.20.1.10 Interpretation

(1) Application of This Section

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

10.20.20 Permitted Uses

10.20.20.10 Principal Use

(1) Principal Use – RD Zone

The following principal uses are permitted in an RD zone:

Park*

Dwelling Unit*, if it is located in a Permitted **Building** Type in Clause 10.20.20.40.

*This is a defined term in Chapter 800 of this By-law.

10.20.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – RD Zone

(A) The following uses containing shared accommodation are permitted in an RD zone if they comply with the specific conditions set out for each use in Clause 10.20.20.100:

Seniors Community House* (1)

Group Home* (2)

Municipal Shelter* (3)

(B) The following non-residential uses are permitted in an RD zone if they comply with the specific conditions set out for each use in Clause 10.20.20.100:

Community Centre* (4)

Library (4)

Day Nursery* (5)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.20.20.100.

10.20.20.30 Ancillary Use

(1) Ancillary Use – RD Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an RD zone if they comply with the specific conditions set out for each use in Clause 10.20.20.100:

Private-Home Day Care* (6)

Secondary Suite* (7)

Home Occupation* (8)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use pertains to the condition number reference in Clause 10.20.20.100.

10.20.20.40 Permitted Building Types

(1) Permitted Building Types – RD Zone

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

Detached House*

*This is a defined term in Chapter 800 of this By-law.

10.20.20.100 Conditions

(1) Seniors Community House

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

(2) Group Home

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

(3) Municipal Shelter

A **municipal shelter** in an RD zone must comply with the specific use regulations in Section 150.22.

(4) Community Centre or Library

In an RD zone, a **community centre** or a library must comply with the following:

(A) it must be operated by, or on behalf of, the City of Toronto;

(B) it must be on a **lot** with a **lot area** of 1500 square metres or less; and

(C) it must have a **front lot line** or **side lot line** abutting,

(i) a **street** identified on the Major **Streets** Overlay Map, or

(ii) a **street** which intersects a road described in (i), above, and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection.

(5) Day Nursery

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

(6) Private Home Daycare

A private home daycare is permitted in an RD zone, if any outdoor children's play area is:

(A) fenced; and

(B) not located in the **front yard** or a **side yard** that abuts a **street**.

(7) Secondary Suite

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

(8) Home Occupation

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

10.20.30 Lot Requirements

10.20.30.10 Area

(1) Minimum Lot Area

(A) If a zone string applying to a **lot** in an RD zone includes the letter 'a', as shown on the Zoning By-law Map, the numerical value following the letter 'a' is the minimum **lot area**, in square metres.

(B) If the zone string in an RD zone does not include a numerical value following the letter 'a', the minimum **lot area**, in square metres, is the minimum required **lot frontage** multiplied by 30 metres.

10.20.30.20 Frontage

(1) Minimum Lot Frontage

(A) If a zone string applying to a **lot** in an RD zone includes the letter 'f', as shown on the Zoning By-law Map, the numerical value following the letter 'f' is the minimum **lot frontage**, in metres.

(B) If the zone string in an RD zone does not include a numerical value following the letter 'f', the minimum **lot frontage** is 12.0 metres.

10.20.30.40 Coverage

(1) Maximum Lot Coverage

If a **lot** in an RD zone is in an area with a numerical value shown on the **Lot Coverage** Overlay Map, that numerical value is the maximum **lot coverage**, as a percentage of the **lot area**.

10.20.40 Principal Building Requirements

10.20.40.1 General

(1) Application of this Article

The regulations in Article 10.20.40 apply to principal **buildings** or **structures** in an RD zone.

10.20.40.10 Height

(1) Maximum Height

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

(A) the numerical value, in metres, shown on the Height Overlay Map; or

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

(2) Maximum Height of Certain Main Walls

For a **detached house** in an RD zone, the maximum height of a **main wall** is the higher of 6.5 metres or 3.0 metres less than the maximum height permitted for the **building** in 10.20.40.10 (1), for either:

- (A) all front and rear **main walls**; or
- (B) all side **main walls**.

(3) Maximum Number of Storeys for a Detached House

If a **lot** in an RD zone is in an area with a numerical value for the number of storeys shown on the Height Overlay Map, that numerical value is the maximum number of storeys permitted for a **detached house**.

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

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

- (A) despite 10.20.40.10 (1) and (2), the maximum height is 7.2 metres; and
- (B) despite 10.20.40.10 (3), the **building** must have no more than two storeys.

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

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

(6) Height of First Floor Above Established Grade

In an RD zone, the maximum height of the finished **first floor** above **established grade** is 1.2 metres.

(7) Height of the First Floor - Additions to Legal Non-complying Buildings

In an RD zone, if a lawfully erected **building** existing on the date of the enactment of this By-law has a finished **first floor** elevation higher than that permitted by this By-law, any permitted addition to that existing **building** may have a finished **first floor** elevation at or less than the elevation of the finished **first floor** of the existing **building**.

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

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

10.20.40.20 Building Length

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

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

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

Despite 10.20.40.20 (1), if the **lot** is in an RD zone with a minimum required **lot**

frontage of more than 12.0 metres to 18.0 metres, a one **storey** part of the **detached house** may extend beyond the maximum **building length** by a maximum of 2.0 metres, if the extended part:

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

10.20.40.30 Building Depth

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

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

10.20.40.40 Floor Area

- (1) Floor Space Index

If a zone string applying to a **lot** in an RD zone includes the letter 'd', as shown on the Zoning By-law Map, the numerical value following the letter 'd' is the maximum **floor space index** for the **lot**.

10.20.40.50 Amenity Space

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

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

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

10.20.40.70 Setbacks

- (1) Minimum Front Yard Setback

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

- (2) Minimum Rear Yard Setback

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

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

- (3) Minimum Side Yard Setback

The minimum **side yard setback** in an RD zone is:

- (A) 0.6 metres if the minimum required **lot frontage** is less than 6.0 metres;
- (B) 0.9 metres if the minimum required **lot frontage** is 6.0 metres to less than 12.0 metres;

- (C) 1.2 metres if the minimum required **lot frontage** is 12.0 metres to less than 15.0 metres;
 - (D) 1.5 metres if the minimum required **lot frontage** is 15.0 metres to less than 18.0 metres;
 - (E) 1.8 metres if the minimum required **lot frontage** is 18.0 metres to less than 24.0 metres;
 - (F) 2.4 metres if the minimum required **lot frontage** is 24.0 metres to less than 30.0 metres; and
 - (G) 3.0 metres if the minimum required **lot frontage** is 30.0 metres or greater.
- (4) Shifting Minimum Side Yard if Required Lot Frontage is in Specified Range
- Despite 10.20.40.70 (3), for a **lot** in an RD zone with a minimum required **lot frontage** of 12.0 metres to less than 18.0 metres, the minimum **side yard** required on one side of a **detached house** may be reduced by a maximum of 0.3 metres if the minimum **side yard** on the other side of the **detached house** is increased by the same amount.
- (5) Larger Minimum Side Yard Beyond Specified Depth if Required Lot Frontage is Over 18.0 Metres
- Despite 10.20.40.70 (3), for a **lot** in an RD zone with a minimum required **lot frontage** greater than 18.0 metres, the minimum **side yard** is 7.5 metres for any portion of a principal **building** that is farther from the front lot line than the lesser of:
- (A) 17.0 metres from the **front wall** of the **building**; or
 - (B) 19.0 metres from the required **front yard setback**.
- (6) Minimum Side Yard Abutting a Street for Specified Corner Lots
- Despite 10.20.40.70 (3) and (4), for a **corner lot** in an RD zone, the minimum **side yard setback** from a **side lot line** abutting a **street** is 3.0 metres, if:
- (A) the minimum required **lot frontage** for the **corner lot** is 12.0 metres or more; and
 - (B) there is an adjacent **lot** fronting on the **street** abutting the corner lot's **side lot line**.

10.40 Residential Semi-Detached Zone (RS)

10.40.1 General

10.40.1.1 Purpose of the Zone

- (1) Purpose of the Zone

The purpose of the RS Zone is to provide a zone for **detached houses** and **semi-detached houses**, as well as a limited set of other uses suited to the residential setting.

10.40.1.10 Interpretation

- (1) Application of This Section

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

10.40.20 Permitted Uses

10.40.20.10 Principal Use

(1) Principal Use – RS Zone

The following principal uses are permitted in an RS zone:

Park*

Dwelling Unit*, if it is located in a Permitted **Building** Type in Clause 10.40.20.40.

*This is a defined term in Chapter 800 of this By-law.

10.40.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – RS Zone

(A) The following uses containing shared accommodation are permitted in an RS zone if they comply with the specific conditions set out for each use in Clause 10.40.20.100:

Seniors Community House* (1)

Group Home* (2)

Municipal Shelter* (3)

(B) The following non-residential uses are permitted in an RS zone if they comply with the specific conditions set out for each use in Clause 10.40.20.100:

Community Centre* (4)

Library (4)

Day Nursery* (5)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.40.20.100.

10.40.20.30 Ancillary Use

(1) Ancillary Use – RS Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an RS zone if they comply with the specific conditions set out for each use in Clause 10.40.20.100:

Private-Home Day Care* (6)

Secondary Suite* (7)

Home Occupation* (8)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.40.20.100.

10.40.20.40 Permitted Building Types

(1) Permitted Building Types – RS Zone

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

Detached House*

Semi-Detached House*

*This is a defined term in Chapter 800 of this By-law.

10.40.20.100 Conditions

(1) Seniors Community House

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

(2) Group Home

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

(3) Municipal Shelter

A **municipal shelter** in an RS zone must comply with the specific use regulations in Section 150.22.

(4) Community Centre or Library

In an RS zone, a **community centre** or a library must comply with the following:

(A) it must be operated by, or on behalf of, the City of Toronto;

(B) it must be on a **lot** with a **lot area** of 1500 square metres or less; and

(C) it must have a **front lot line** or **side lot line** abutting,

(i) a **street** identified on the Major **Streets** Overlay Map, or

(ii) a **street** which intersects a road described in (i), above, and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection.

(5) Day Nursery

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

(6) Private Home Daycare

A private home daycare is permitted in an RS zone, if any outdoor children's play area is:

(A) fenced; and

(B) not located in the **front yard** or a **side yard** that abuts a **street**.

(7) Secondary Suite

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

(8) Home Occupation

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

10.40.30 Lot Requirements

10.40.30.10 Area

(1) Minimum Lot Area

(A) If a zone string applying to a **lot** in an RS zone includes the letter 'a', as shown on the Zoning By-law Map, the numerical value following the letter 'a' is the minimum **lot area**, in square metres.

(B) Despite (A) above, if one **semi-detached house** is situated on two **lots** in an RS zone, the minimum **lot area** for each **lot** is 50% of the numerical value following the letter 'a', in square metres.

(C) If the zone string in an RS zone does not include an 'a' value, the minimum **lot area**, in square metres, is the minimum required **lot frontage** multiplied by 30.

10.40.30.20 Frontage

(1) Minimum Lot Frontage

(A) If a zone string applying to a **lot** in an RS zone includes the letter 'f', as shown on the Zoning By-law Map, the numerical value following the letter 'f' is the minimum **lot frontage**, in metres.

(B) If the zone string in an RS zone does not include an 'f' value, the minimum **lot frontage** is 15.0 metres.

(C) If one **semi-detached house** is situated on two **lots** in an RS zone, the minimum **lot frontage** for each **lot** is 50% of the applicable requirement cited in (A) and (B) above.

10.40.30.40 Coverage

(1) Maximum Lot Coverage

If a **lot** in an RS zone is in an area with a numerical value shown on the **Lot Coverage** Overlay Map, that numerical value is the maximum **lot coverage**, as a percentage of the **lot area**.

10.40.40 Principal Building Requirements

10.40.40.1 General

(1) Application of this Article

The regulations in Article 10.40.40 apply to principal **buildings** or **structures** in an RS zone.

10.40.40.10 Height

(1) Maximum Height

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

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

(2) Maximum Height of Certain Main Walls

For a **detached house** or a **semi-detached house** in an RS zone, the maximum height of a **main wall** is the higher of 6.5 metres or 3.0 metres less than the maximum height permitted for the **building** in 10.20.40.10 (1), for either:

- (A) all front and rear **main walls**; or
- (B) all side **main walls**.

(3) Height of First Floor Above Established Grade

In an RS zone, the maximum height of the finished **first floor** above **established grade** is 1.2 metres.

(4) Height of the First Floor - Additions to Legal Non-complying Buildings

In an RS zone, if a lawfully erected **building** existing on the date of the enactment of this By-law has a finished **first floor** elevation higher than that permitted by this By-law, any permitted addition to that existing **building** may have a finished **first floor** elevation at or less than the elevation of the finished **first floor** of the existing **building**.

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

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

10.40.40.20 Building Length

(1) Maximum Building Length

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

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

Despite 10.40.40.20 (1), if the **lot** is in an RS zone with a minimum required **lot frontage** of more than 12.0 metres for a **detached house** or for all of a **semi-detached house**, a one **storey** part of the **detached house** or **semi-detached house** may extend beyond the maximum **building length** by a maximum of 2.0 metres, if the extended part:

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

10.40.40.30 Building Depth

(1) Maximum Building Depth

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

10.40.40.40 Floor Area

(1) Floor Space Index

If a zone string applying to a **lot** in an RS zone includes the letter 'd', as shown on the Zoning By-law Map, the numerical value following the letter 'd' is the maximum **floor space index** for the **lot**.

10.40.40.50 Amenity Space

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

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

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

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

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

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

10.40.40.70 Setbacks

(1) Minimum Front Yard Setback

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

(2) Minimum Rear Yard Setback

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

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

(3) Minimum Side Yard Setback

The minimum **side yard setback** in an RS zone is:

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

10.60 Residential Townhouse Zone (RT)

10.60.1 General

10.60.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the RT Zone is to provide a zone for **detached houses**, **semi-detached houses** and **townhouses**, as well as a limited set of other uses suited to the residential setting.

10.60.1.10 Interpretation

(1) Application of This Section

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

10.60.20 Permitted Uses

10.60.20.10 Principal Use

(1) Principal Use – RT Zone

The following principal uses are permitted in an RT zone:

Park*

Dwelling Unit*, if it is located in a Permitted **Building** Type in Clause 10.60.20.40.

*This is a defined term in Chapter 800 of this By-law.

10.60.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – RT Zone

- (A) The following uses containing shared accommodation are permitted in an RT zone if they comply with the specific conditions set out for each use in Clause 10.60.20.100:

Seniors Community House* (1)

Group Home* (2)

Municipal Shelter* (3)

(B) The following non-residential uses are permitted in an RT zone if they comply with the specific conditions set out for each use in Clause 10.60.20.100:

Community Centre* (4)

Library (4)

Day Nursery* (5)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.60.20.100.

10.60.20.30 Ancillary Use

(1) Ancillary Use – RT Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an RT zone if they comply with the specific conditions set out for each use in Clause 10.60.20.100:

Private-Home Day Care* (6)

Secondary Suite* (7)

Home Occupation* (8)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.60.20.100.

10.60.20.40 Permitted Building Types

(1) Permitted Building Types – RT Zone

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

Detached House*

Semi-Detached House*

Townhouse*

*This is a defined term in Chapter 800 of this By-law.

10.60.20.100 Conditions

(1) Seniors Community House

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

(2) Group Home

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

(3) Municipal Shelter

A **municipal shelter** in an RT zone must comply with the specific use regulations in Section 150.22.

(4) Community Centre or Library

A **community centre** or a library is permitted in an RT zone, if it is on a **lot** that has a **front lot line** or **side lot line** abutting:

(A) a **street** identified on the Major **Streets** Overlay Map; or

(B) a **street** which intersects a road described in (A), above, and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection.

(5) Day Nursery

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

(6) Private Home Daycare

A private home daycare is permitted in an RT zone, if any outdoor children's play area is:

(A) fenced; and

(B) not located in the **front yard** or a **side yard** that abuts a **street**.

(7) Secondary Suite

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

(8) Home Occupation

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

10.60.30 Lot Requirements

10.60.30.10 Area

(1) Minimum Lot Area

(A) If a zone string applying to a **lot** in an RT zone includes the letter 'a', as shown on the Zoning By-law Map, the numerical value following the letter 'a' is the minimum **lot area**, in square metres.

(B) Despite (A) above, if one **semi-detached house** is situated on two **lots** in an RT zone, the minimum **lot area** for each **lot** is 50% of the numerical value following the letter 'a', in square metres.

(C) If the zone string in an RT zone does not include an 'a' value, the minimum **lot area**, in square metres, is the minimum required **lot frontage** multiplied by 30.

(2) Minimum Lot Area For Each Dwelling Unit

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

10.60.30.20 Frontage

(1) Minimum Lot Frontage

- (A) If a zone string applying to a **lot** in an RT zone includes the letter 'f', as shown on the Zoning By-law Map, the numerical value following the letter 'f' is the minimum **lot frontage** for each **dwelling unit**, in metres, for a **lot** with:
- (i) a **detached house**;
 - (ii) a **semi-detached house**; or
 - (iii) a **townhouse** with every **dwelling unit** fronting directly on a **street**.
- (B) If the zone string in an RT zone does not include an 'f' value, the minimum **lot frontage** is 6.0 metres for each **dwelling unit**, for a **lot** with:
- (i) a **detached house**;
 - (ii) a **semi-detached house**; or
 - (ii) a **townhouse** with every **dwelling unit** fronting directly on a **street**.
- (C) The minimum **lot frontage** requirement for a **townhouse** cited in (A) or (B) above, may be reduced by 1.0 metres for each **dwelling unit** that does not have an individual private **driveway** leading directly to the front of it.
- (D) Despite (A), (B) and (C) above, the minimum **lot frontage** in an RT zone is 30.0 metres if a **lot** contains:
- (i) a **townhouse** with one or more **dwelling units** not fronting directly on a **street**; or
 - (ii) a **non-residential building**.

10.60.30.40 Coverage

(1) Maximum Lot Coverage

If a **lot** in an RT zone is in an area with a numerical value shown on the **Lot Coverage** Overlay Map, that numerical value is the maximum **lot coverage**, as a percentage of the **lot area**.

10.60.40 Principal Building Requirements

10.60.40.1 General

(1) Application of this Article

The regulations in Article 10.60.40 apply to principal **buildings** or **structures** in an RT zone.

(2) Number of Dwelling Units on a Lot

If a zone string applying to a **lot** in an RT zone includes the letter 'u', as shown on the Zoning By-law Map, the numerical value following the letter 'u' is the maximum

number of **dwelling units** on the **lot**.

(3) Minimum Width of a Dwelling Unit

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

(A) 5.0 metres if the **dwelling unit** does not have an individual private **driveway** leading directly to the front of it; and

(B) 6.0 metres in all other cases.

(4) Building Orientation to Street

The regulations in 5.10.40.1 (2) and (3) do not apply in an RT zone.

10.60.40.10 Height

(1) Maximum Height

The maximum height for a principal **building** or **structure** on a **lot** in an RT zone is:

(A) the numerical value, in metres, shown on the Height Overlay Map; or

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

10.60.40.40 Floor Area

(1) Floor Space Index

If a zone string applying to a **lot** in an RT zone includes the letter 'd', as shown on the Zoning By-law Map, the numerical value following the letter 'd' is the maximum **floor space index** for the **lot**.

10.60.40.70 Setbacks

(1) Minimum Front Yard Setback

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

(2) Minimum Rear Yard Setback

The minimum **rear yard setback** in an RT zone is 7.5 metres.

(3) Minimum Side Yard Setback

(A) The minimum **side yard setback** in an RT zone is 7.5 metres.

(B) Despite (A) above, the minimum **side yard setback** in an RT zone is 0.9 metres for:

(i) a **detached house**;

(ii) a **semi-detached house**; or

(iii) a **townhouse** if all the **dwelling units** front directly on a **street**.

10.80 Residential Multiple Dwelling Zone (RM)

10.80.1 General

10.80.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the RM Zone is to provide a zone for **detached houses, semi-detached houses, duplexes, triplexes, fourplexes**, and **apartment buildings** that are limited in height, as well as a limited set of other uses suited to the residential setting.

10.80.1.10 Interpretation

(1) Application of This Section

The regulations in Section 10.80 apply to lands, uses, **buildings** and **structures** in an RM zone.

10.80.20 Permitted Uses

10.80.20.10 Principal Use

(1) Principal Use – RM Zone

The following principal uses are permitted in an RM zone:

Park*

Dwelling Unit*, if it is located in a Permitted **Building** Type in Clause 10.80.20.40.

*This is a defined term in Chapter 800 of this By-law.

10.80.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – RM Zone

(A) The following uses containing shared accommodation are permitted in an RM zone if they comply with the specific conditions set out for each use in Clause 10.80.20.100:

Nursing Home* (1)

Retirement Home* (1)

Seniors Community House* (2)

Group Home* (3)

Residential Care Home* (3)

Rooming House* (4)

Crisis Care Shelter* (5)

Municipal Shelter* (5)

(B) The following non-residential uses are permitted in an RM zone if they comply with the specific conditions set out for each use in Clause 10.80.20.100:

Community Centre* (6)

Library (6)

Day Nursery* (7)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.80.20.100.

10.80.20.30 Ancillary Use

(1) Ancillary Use – RM Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an RM zone if they comply with the specific conditions set out for each use in Clause 10.80.20.100:

Private-Home Day Care* (8)

Secondary Suite* (9)

Home Occupation* (10)

Respite Care Facility* (11)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.80.20.100.

10.80.20.40 Permitted Building Types

(1) Permitted Building Types – RM Zone

In an RM zone, a **dwelling unit** is permitted in the following **residential building** types if the buildings comply with the applicable regulations in Clause 10.80.20.100:

Detached House*

Semi-detached House*

Duplex*

Triplex* (12)

Fourplex* (13)

Apartment Building* (14)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 10.80.20.100.

10.80.20.100 Conditions

(1) Nursing Home or Retirement Home

In an RM zone, a **nursing home**, **retirement home** or a combination of these two uses, must be located on a **lot** which:

(A) has a **front lot line** or **side lot line** abutting a **street** identified on the Major **Streets** Overlay Map; or

(B) has a **front lot line** or **side lot line** abutting a **street** which intersects a road described in (A) above, and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection.

(2) Seniors Community House

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

(3) Group Home or Residential Care Home

In an RM zone, a **group home** or a **residential care home** must comply with the specific use regulations in Section 150.15.

(4) Rooming House

A **rooming house** in an RM zone must comply with the specific use regulations in Section 150.25.

(5) Crisis Care Shelter or Municipal Shelter

In an RM zone, a **crisis care shelter** or a **municipal shelter** must comply with the specific use regulations in Sections 150.20 and 150.22, respectively.

(6) Community Centre or Library

A **community centre** or a library is permitted in an RM zone, if it is on a **lot** that has a **front lot line** or **side lot line** abutting:

(A) a **street** identified on the Major **Streets** Overlay Map; or

(B) a **street** which intersects a road described in (A), above, and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection.

(7) Day Nursery

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

(8) Private Home Daycare

A private home daycare is permitted in an RM zone, if:

(A) it is in a **dwelling unit** that is located, in whole or in part, on the **first floor** of a **residential building**; and

(B) any outdoor children's play area is:

(i) fenced; and

(ii) not located in the **front yard** or a **side yard** abutting a **street**.

(9) Secondary Suite

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

(10) Home Occupation

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

(11) Respite Care Facility

A **respite care facility** is permitted in an RM zone, if it is together with a **nursing home** or **retirement home**.

(12) Triplex

A **triplex** is only permitted in an RM zone that has:

- (A) no letter 'u' included in the zone string applying to the **lot**, as shown on the Zoning By-law Map; or
- (B) a numerical value of 3 or greater following the letter 'u' in the zone string.

(13) Fourplex

A **fourplex** is only permitted in an RM zone that has:

- (A) no letter 'u' included in the zone string applying to the **lot**, as shown on the Zoning By-law Map; or
- (B) a numerical value of 4 or greater following the letter 'u' in the zone string.

(14) Apartment Building

An **apartment building** is only permitted in an RM zone that has:

- (A) no letter 'u' included in the zone string applying to the **lot**, as shown on the Zoning By-law Map; or
- (B) a numerical value of 5 or greater following the letter 'u' in the zone string.

10.80.30 Lot Requirements

10.80.30.10 Area

(1) Minimum Lot Area

- (A) If a zone string applying to a **lot** in an RM zone includes the letter 'a', as shown on the Zoning By-law Map, the numerical value following the letter 'a' is the minimum **lot area**, in square metres.
- (B) Despite (A) above, if one **semi-detached house**, one **fourplex**, or one **apartment building** is situated on two **lots** in an RM zone, the minimum **lot area** for each **lot** is 50% of the numerical value following the letter 'a', in square metres.
- (C) If the zone string in an RM zone does not include an 'a' value, the minimum **lot area**, in square metres, is the minimum required **lot frontage** multiplied by 30.

(2) Minimum Lot Area for Each Dwelling Unit

If a zone string applying to a **lot** in an RM zone includes the letters 'au', as shown on the Zoning By-law Map, the numerical value following the letters 'au' is the minimum **lot area**, in square metres, required for each **dwelling unit**.

10.80.30.20 Frontage

(1) Minimum Lot Frontage

- (A) If a zone string applying to a **lot** in an RM zone includes the letter 'f', as shown on the Zoning By-law Map, the numerical value following the letter 'f' is the minimum **lot frontage**, in metres.
- (B) If the zone string in an RM zone does not include an 'f' value, the minimum **lot frontage** is:
- (i) 12.0 metres for a **lot** with a **detached house**;
 - (ii) 15.0 metres for a **lot** containing all of a **semi-detached house**;
 - (iii) 18.0 metres for each **duplex** or **triplex** on a **lot**; or
 - (iv) 24.0 metres,
 - (a) for each **fourplex** or **apartment building** on a **lot**, or
 - (b) for a **lot** with a **non-residential building**.
- (C) If one **semi-detached house**, one **fourplex**, or one **apartment building** is situated on two **lots** in an RM zone, the minimum **lot frontage** for each **lot** is 50% of the applicable requirement cited in (A) and (B) above.

10.80.30.40 Coverage

(1) Maximum Lot Coverage

If a **lot** in an RM zone is in an area with a numerical value shown on the **Lot Coverage** Overlay Map, that numerical value is the maximum **lot coverage**, as a percentage of the **lot area**.

10.80.40 Principal Building Requirements

10.80.40.1 General

(1) Application of this Article

The regulations in Article 10.80.40 apply to principal **buildings** or **structures** in an RM zone.

(2) Number of Dwelling Units on a Lot

If a zone string applying to a **lot** in an RM zone includes the letter 'u', as shown on the Zoning By-law Map, the numerical value following the letter 'u' is the maximum number of **dwelling units** on the **lot**.

(3) Building Orientation to Street

The regulations in 5.10.40.1 (2) and (3) do not apply in an RM zone.

10.80.40.10 Height

(1) Maximum Height

The maximum height for a principal **building** or **structure** on a **lot** in an RM zone is:

- (A) the numerical value, in metres, shown on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value shown on the Height Overlay Map,
 - (i) 10.0 metres, for a **detached house** or **semi-detached house**, and
 - (ii) 12.0 metres, for any other principal **building** or **structure**.

(2) Maximum Height of Certain Main Walls

For a **detached house** or a **semi-detached house** in an RM zone, the maximum height of a **main wall** is the higher of 6.5 metres or 3.0 metres less than the maximum height permitted for the **building** in 10.20.40.10 (1), for either:

- (A) all front and rear **main walls**; or
- (B) all side **main walls**.

(3) Height of First Floor Above Established Grade

In an RM zone, for a **detached house** or a **semi-detached house**, the maximum height of the **first floor** above **established grade** is 1.2 metres.

(4) Height of the First Floor - Additions to Legal Non-complying Buildings

In an RM zone, if a lawfully erected **building** existing on the date of the enactment of this By-law has a finished **first floor** elevation higher than that permitted by this By-law, any permitted addition to that existing **building** may have a finished **first floor** elevation at or less than the elevation of the finished **first floor** of the existing **building**.

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

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

10.80.40.20 Building Length

(1) Maximum Building Length

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

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

Despite 10.80.40.20 (1), if the **lot** is in an RM zone with a minimum required **lot frontage** of more than 12.0 metres for a **detached house** or for all of a **semi-detached house**, a one **storey** part of the **detached house** or **semi-detached house** may extend beyond the maximum **building length** by a maximum of 2.0 metres, if the extended part:

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

10.80.40.30 Building Depth

(1) Maximum Building Depth

In an RM zone, the rear **main wall** of a **detached house** or **semi-detached house**, not including a one **storey** extension that complies with 10.80.40.20 (2), must be no more than 19.0 metres from the required **front yard setback**.

10.80.40.40 Floor Area

(1) Floor Space Index

If a zone string applying to a **lot** in an RM zone includes the letter 'd', as shown on the Zoning By-law Map, the numerical value following the letter 'd' is the maximum **floor space index** for the **lot**.

10.80.40.50 Amenity Space

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

In an RM zone, platforms such as a deck or balcony, located at or above the second **storey** of a **detached house** must comply with the following:

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

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

In an RM zone, platforms such as a deck or balcony, located at or above the second **storey** of a **semi-detached house** must comply with the following:

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

10.80.40.70 Setbacks

(1) Minimum Front Yard Setback

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

(2) Minimum Rear Yard Setback

The minimum **rear yard setback** in an RM zone is the greater of:

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

(3) Minimum Side Yard Setback

The minimum **side yard setback** in an RM zone is:

- (A) 1.2 metres for a **detached house**;
- (B) 1.5 metres for a **semi-detached house**;
- (C) 1.8 metres for a **duplex** or a **triplex**; or
- (D) 2.4 metres for a **fourplex**, an **apartment building**, or a **non-residential building**.

Chapter 15 Residential Apartment

15.10 Residential Apartment Zone (RA)

15.10.1 General

15.10.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the RA Zone is to provide a zone for **apartment buildings**, as well as a limited set of other uses suited to the residential setting.

15.10.1.10 Interpretation

(1) Application of This Section

The regulations in Section 15.10 apply to lands, uses, **buildings** and **structures** in an RA zone.

15.10.20 Permitted Uses

15.10.20.10 Principal Use

(1) Principal Use – RA Zone

The following principal uses are permitted in an RA zone:

Park*

Dwelling Unit*, subject to the Permitted **Building** Type in Clause 15.10.20.40.

*This is a defined term in Chapter 800 of this By-law.

15.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – RA Zone

(A) The following uses containing shared accommodation are permitted in an RA zone if they comply with the specific conditions set out for each use in Clause 15.10.20.100:

Nursing Home* (1)

Retirement Home* (1)

Seniors Community House* (2)

Group Home* (3)

Residential Care Home* (3)

Rooming House* (4)

Crisis Care Shelter* (5)

Municipal Shelter* (5)

(C) The following non-residential uses are permitted in an RA zone if they comply with the specific conditions set out for each use in Clause 15.10.20.100:

Retail Store* (6)

Community Centre* (7)

Library (7)

Day Nursery* (8)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 15.10.20.100.

15.10.20.30 Ancillary Use

(1) Ancillary Use – RA Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an RA zone if they comply with the specific conditions set out for each use in Clause 15.10.20.100:

Private-Home Day Care* (9)

Secondary Suite* (10)

Home Occupation* (11)

Respite Care Facility* (12)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 15.10.20.100.

15.10.20.40 Permitted Building Types

(1) Permitted Building Types – RA Zone

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

Apartment Building*

*This is a defined term in Chapter 800 of this By-law.

15.10.20.100 Conditions

(1) Nursing Home or Retirement Home

In an RA zone, a **nursing home**, **retirement home** or a combination of these two uses, must be located on a **lot** that:

(A) has a **front lot line** or **side lot line** abutting a **street** identified on the Major **Streets** Overlay Map; or

(B) has a **front lot line** or **side lot line** abutting a **street** which intersects a road described in (A) above, and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection.

(2) Seniors Community House

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

(3) Group Home or Residential Care Home

In an RA zone, a **group home** or a **residential care home** must comply with the specific use regulations in Section 150.15.

(4) Rooming House

A **rooming house** in an RA zone must comply with the specific use regulations in Section 150.25.

(5) Crisis Care Shelter or Municipal Shelter

In an RA zone, a **crisis care shelter** or a **municipal shelter** must comply with the specific use regulations in Sections 150.20 and 150.22, respectively.

(6) Retail Stores in Apartment Buildings

In an RA zone, one **retail store** is permitted on a **lot** with 100 or more **dwelling units** in one or more **apartment buildings**, if:

(A) the **retail store** is located inside an **apartment building** on the **lot**;

(B) the **retail store** is not located above the **first floor** of the **apartment building**;

(C) access to the **retail store** is only from within the **apartment building**;

(D) there is no outside display of goods; and

(E) the **interior floor area** of the **retail store** is no greater than 30.0 square metres for the first 100 **dwelling units**, which may be increased by 10.0 square metres for each additional 50 **dwelling units** in excess of 100, to a maximum of 110.0 square metres.

(7) Community Centre or Library

A **community centre** or a library is permitted in an RA zone, if it is located on a **lot** that abuts a **street** identified on the Major **Streets** Overlay Map.

(8) Day Nursery

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

(9) Private Home Daycare

A private home daycare is permitted in an RA zone, if:

(A) it is in a **dwelling unit** that is located, in whole or in part, on the **first floor** of a **residential building**; and

(B) any outdoor children's play area is:

- (i) fenced; and
- (ii) not located in the **front yard** or a **side yard** abutting a **street**.

(10) Secondary Suite

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

(11) Home Occupation

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

(12) Respite Care Facility

A **respite care facility** is permitted in an RA zone, if it is together with a **nursing home** or **retirement home**.

15.10.30 Lot Requirements

15.10.30.10 Area

(1) Minimum Lot Area

(A) If a zone string applying to a **lot** in an RA zone includes the letter 'a', as shown on the Zoning By-law Map, the numerical value following the letter 'a' is the minimum **lot area**, in square metres.

(B) If the zone string in an RA zone does not include an 'a' value, the minimum **lot area**, in square metres, is the minimum required **lot frontage** multiplied by 30.

(2) Minimum Lot Area for Each Dwelling Unit

If a zone string applying to a **lot** in an RA zone includes the letters 'au', as shown on the Zoning By-law Map, the numerical value following the letters 'au' is the minimum **lot area**, in square metres, required for each **dwelling unit**.

15.10.30.20 Frontage

(1) Minimum Lot Frontage

(A) If a zone string applying to a **lot** in an RA zone includes the letter 'f', as shown on the Zoning By-law Map, the numerical value following the letter 'f' is the minimum **lot frontage**, in metres.

(B) If the zone string in an RA zone does not include an 'f' value, the minimum **lot frontage** is 24.0 metres.

15.10.30.40 Coverage

(1) Maximum Lot Coverage

If a **lot** in an RA zone is in an area with a numerical value shown on the **Lot Coverage** Overlay Map, that numerical value is the maximum **lot coverage**, as a percentage of the **lot area**.

15.10.40 Principal Building Requirements

15.10.40.1 General

(1) Application of this Article

The regulations in Article 15.10.40 apply to a principal **building** or **structure** in an RA zone.

(2) Number of Buildings on a Lot

Unless otherwise stated, only one principal **building** is permitted on a **lot** in an Residential Apartment Zone category.

(3) Building Orientation to Street

The regulations in 5.10.40.1 (2) and (3) do not apply in an RA zone.

15.10.40.10 Height

(1) Maximum Height

The maximum height for a principal **building** or **structure** on a **lot** in an RA zone is:

- (A) the numerical value, in metres, shown on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value shown on the Height Overlay Map, 24.0 metres.

15.10.40.40 Floor Area

(1) Floor Space Index

If a zone string applying to a **lot** in an RA zone includes the letter 'd', as shown on the Zoning By-law Map, the numerical value following the letter 'd' is the maximum **floor space index** for the **lot**.

15.10.40.50 Amenity Space

(1) Amenity Space for an Apartment Building

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

- (A) a minimum of 2.0 square metres for each **dwelling unit** must be indoor **amenity space**;
- (B) a maximum of 25% of the outdoor component may be in the form of a **green roof**; and
- (C) a minimum of 40.0 square metres must be outdoor **amenity space** in a location adjoining or directly accessible to the indoor **amenity space**.

15.10.40.60 Permitted Encroachments

(1) Platforms

In an RA zone, despite 10.5.40.60 (1), a platform with no **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a principal **building**, may encroach into a required yard setback for the principal **building** as follows:

- (A) a platform with a finished floor no higher than the finished **first floor** of the principal **building** may encroach into a required yard setback the lesser of 9.5 metres or 50% of the required yard setback, and if it is located in the front or **rear yard**, it must be no

closer to a **side lot line** than the required **side yard setback**; and

- (B) a platform with a finished floor that is higher than the finished **first floor** of the principal **building** may encroach into the applicable required yard setback the lesser of 2.5 metres or 50% of the required yard setback, and if it is located in the front or **rear yard**, it must be no closer to a **side lot line** than the required **side yard setback**.

(2) Canopies and Awnings

In an RA zone, despite 5.10.40.60 (1), a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform meeting the requirements of 15.10.40.60 (1), may encroach into a yard setback for the principal **building**, as follows:

- (A) if it is above a platform that complies with 15.10.40.60 (1), the roof, canopy, awning or similar **structure** may encroach into the respective yard setback to the same extent as the platform it is covering; and
- (B) if it is not above such a platform, it may encroach into a required yard setback the lesser of 9.5 metres or 50% of the applicable required yard setback, if it is:
 - (i) covering a **driveway**, walkway or outdoor **amenity space** adjacent to an entrance to the principal **building**; and
 - (ii) located in the front or **rear yard**, it must be no closer to a **side lot line** than the required **side yard setback**.

15.10.40.70 Setbacks

(1) Minimum Front Yard Setback

The minimum **front yard setback** in an RA zone is 6.0 metres.

(2) Minimum Rear Yard Setback

The minimum **rear yard setback** in an RA zone is 7.5 metres.

(3) Minimum Side Yard Setback

The minimum **side yard setback** in an RA zone is 7.5 metres.

(4) Rear and Side Yard Setbacks in Relation to the Height of an Apartment Building

Despite 15.10.40.70 (2) and (3), for any portion of an **apartment building** in an RA zone having a height greater than 11.0 metres, the minimum rear and **side yard setbacks** for each portion of the **building** above 11.0 metres in height are to be increased by 1.0 metres for each additional 2.0 metres, or part thereof, above 11.0 metres in height.

15.10.40.80 Separation

(1) Apartment Building Separation from RD and RS Zones

An **apartment building** in an RA zone must be at least 15.0 metres from a **lot** in an RD or RS zone.

15.10.60 Ancillary Buildings and Structures

15.10.60.1 General

(1) Application of this Article

The regulations in Article 15.10.60 apply to detached **ancillary buildings** or **structures** in an RA zone, except for **buildings** or **structures** permitted as encroachments into required yards in 10.5.40.60.

15.10.60.30 Separation

(1) Separation of Swimming Pools or Similar Ancillary Structures Containing Water from RD Zones

In an RA zone, a swimming pool or other **ancillary structure** used to hold water, such as a fountain or artificial pond, with a total water surface area greater than 3.0 square metres, must be at least 12.0 metres from a **lot** in an RD zone.

15.10.80 Parking

15.10.80.1 General

(1) Charging for Visitor Parking

There must be no fee charged for a visitor **parking space** in an RA zone.

(2) Use of Required Parking

Unless otherwise stated in this By-law, a **parking space** required for a use is for the exclusive use of the occupants or patrons of that use.

(3) Bachelor Unit Size for Parking Space Calculation

For the purpose of calculating **parking space** requirements, bachelor **dwelling unit** must not have an **interior floor area** greater than 45 square metres.

15.10.80.10 Location

(1) Parking Space Location for Apartment Buildings

A minimum of 50% of the required **parking spaces** for an **apartment building** in an RA zone, other than required visitor parking, are to be located in a **building** or underground **structure**.

15.10.80.30 Separation

(1) Parking Space Separation from Apartment Building

A **parking space** on the ground in an RA zone must be at least 3.0 metres from any **main wall** of an **apartment building**.

15.10.90 Loading

15.10.90.1 General

(1) Loading Space Options

In an RA zone, if a **building** contains 400 **dwelling units** or more, the requirement for a Type 'C' **loading space** is satisfied by the provision of a Type 'A' **loading space**, Type 'B' **loading space** or Type 'G' **loading space** instead.

Chapter 30 Commercial

30.5 Regulations applying to the Commercial Zone Category

30.5.1 General

30.5.1.10 Interpretation

- (1) Application of General Regulations Section

The regulations contained in Section 30.5 apply to all lands, uses, **buildings** and **structures** in the Commercial zone category.

- (2) Interpretation of the Commercial Zone String

The zone symbol on the Zoning By-law Map for commercial zones consists of the letters CL indicating the primary land use, which may be followed by; a numerical value in the zone string that indicates the maximum permitted **floor space index** of all permitted land uses on a **lot**; and a development standard set symbol as explained in 30.5.1.10 (3).

30.5.40 Principal Building Requirements

30.5.40.10 Height

- (1) Determining the Height of Principal Building in Commercial Zones

Unless otherwise stated in this By-law, in the commercial zone category, the height of a principal **building** on a **lot** is measured as the distance between the average elevation of grade along the **front lot line**, or in the case of a **corner lot**, the average elevation of grade along all **lot lines** that abut a **street** and the elevation of the highest point on the **building**.

- (2) Determining the Height of Principal Structures in Commercial Zones

Unless otherwise stated in this By-law, in the commercial zone category, the height of a **structure**, other than a principal **building**, is the distance between the elevation of the **average grade** to the elevation of the highest point of the **structure**.

30.5.75 Energy Regulations

30.5.75.1 General

- (1) Renewable Energy and Cogeneration Energy Device - Location Restriction

In a Commercial zone category a **renewable energy** or **cogeneration energy** device may not be located in a **front yard** or a **side yard** that abuts a **street**.

- (2) Renewable Energy Device - Height regulations

In a Commercial zone category if a photovoltaic energy device and a thermal **solar energy** device is:

- (A) located on a principal **building**;

- (i) it must comply with all the minimum set back requirements for a principal **building**; and
- (ii) it must have no part of the device more than 2.0 metres higher than the maximum height permitted for a principal **building** excluding any other permitted encroachments into the height limit; and

(B) not located on a principal **building**, the device must comply with all zoning by-law regulations applicable to an **ancillary building** or **structure**.

(3) Wind Energy Device - Setbacks

In a Commercial zone category, all parts of a **wind energy** device are to comply with the minimum setback requirements for a principal **building** on the **lot** where the device is located.

(4) Wind Energy Device - Height

In a Commercial zone category no part of the **wind energy** device is to exceed the maximum height permitted for a principal **building** by more than 3.0 metres.

(5) Geo-Energy Requirements

In a Commercial zone category, any above-ground part of a geo-energy device must comply with all the requirements of an **ancillary building** or **structure** on a **lot** in the zone on which the device is located.

(6) Cogeneration Energy Device

In a Commercial zone category, a **cogeneration energy** device must be located inside a permitted principal **building** on the **lot**.

30.20 Commercial Local Zone (CL)

30.20.1 General

30.20.1.1 Purpose of the Zone

(1) Purpose of the CL Zone

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

30.20.20 Permitted Uses

30.20.20.10 Principal Use

(1) Principal Use – CL Zone

In a CL zone, the following uses are permitted:

Park*

Library

*This is a defined term in Chapter 800 of this By-law.

30.20.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – CL Zone

In the CL zone, the following uses are permitted if they comply with the specific conditions set out for each use in Clause 30.20.20.100:

Recreation Use* (1,2)

Day Nursery* (7)

Place of Worship* (8)

Municipal Shelter* (9)

Office (2)

Eating Establishment* (2, 4, 10)

Take-out Eating Establishment* (2,4,11)

Financial Institution* (2)

Personal Service Shop* (2,4)

Pet Services* (2)

Retail Service* (2)

Retail Store* (2 4,5)

Service Shop* (2)

Community Centre* (2)

Education Use* (2)

Veterinary Hospital* (2)

Vehicle Fuel Station* (2,3,12)

Vehicle Service Shop* (2,3,13)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 30.20.20.100

30.20.20.30 Ancillary Use

(1) Ancillary Use – CL Zone

In addition to the uses permitted in Clause 5.10.20.30, in an CL Zone the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 30.20.20.100 and in Chapter 150 Specific Use Regulations:

Outdoor Sales or Display (6)

*This is a defined term in Chapter 800 of this By-law.

30.20.20.100 Conditions

(1) Recreation Use Condition

In a CL zone, all recreation uses must be located wholly within a **building**.

(2) Total Interior Floor Area Condition

In a CL zone, the total combined **interior floor area** for the use subject to this condition and any other permitted uses subject to this condition on a **lot** cannot exceed 500 square metres.

(3) Vehicle Fuel Station or Vehicle Service Shop Location Condition

In a CL zone, a **vehicle fuel station** or a **vehicle service shop** are permitted if they are located on a **street** as shown on the Major **Streets** Overlay Map.

(4) Retail Store, Personal Service Shop, Eating Establishment, or Take-out eating Establishment-Amusement Device Condition

In a CL zone, a **retail store**, **personal service shop**, **eating establishment**, or **take-out eating establishment** with a minimum **interior floor area** of 130 square metres may have a maximum of 2 **amusement devices**.

(5) Retail Store- Ancillary Eating Space Condition

In a CL zone, a **retail store** may contain a maximum of 10.0 square metres used for the consumption of food or beverage by patrons.

(6) Outdoor Display or Sales Condition

In a CL zone, the outdoor display or sale of goods or commodities is permitted if:

(A) the goods or commodities are not closer to a **lot line** than the greater of:

(i) 3.0 metres; or

(ii) the minimum required **building setback** for the yard in which the goods or commodities are located;

(B) the cumulative area used for the outdoor display or sale of goods or commodities is not more than 30.0 square metres; and

(C) the area used for the outdoor display or sale of goods or commodities is not located on land required for parking, loading, **driveways** or **landscaping**.

(7) Day Nursery

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

(8) Place of Worship

A **place of worship** must comply with the specific use regulations in Section 150.50.

(9) Municipal Shelter

A **municipal shelter** must comply with the specific use regulations in Section 150.22.

(10) Eating Establishment

An **eating establishment** must comply with the specific use regulations in Section 150.100.

(11) Take-out Eating Establishment

A **take-out eating establishment** must comply with the specific use regulations in Section 150.100.

(12) Vehicle Fuel Station

A **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(13) Vehicle Service Shop

A **vehicle service shop** must comply with the specific use regulations in Section 150.94.

30.20.30 Lot Requirements

30.20.30.1 General

- (1) Commercial Development Parcel- Compliance in its Entirety

In a CL zone, if two or more **lots** are used together for a development, the applicable regulations of this By-law apply collectively to the parts of the **lot** used and within the CL zone.

30.20.30.20 Frontage

- (1) Minimum Lot Frontage for Lots in a CL zone

In a CL zone, the minimum **lot frontage** is 9.0 metres.

30.20.30.200 Exemptions

- (1) Existing Lot Frontage Exemption for Lots in CL zone

If a **lot** in a CL zone on the date of the enactment of this by-law has a lawful minimum **lot frontage** that is less than that required by this By-law, the minimum **lot frontage** for that **lot** is the **lot frontage** that existed on the date of the enactment of this By-law.

30.20.40 Principal Building Requirements

30.20.40.1 General

- (1) Commercial Use in Wholly Enclosed Building Condition

Unless otherwise stated in this By-law, in a CL zone all uses are to be located within a wholly enclosed **building**, except for outdoor sales and display, **parking spaces**, and **ancillary loading spaces**.

30.20.40.10 Height

- (1) Maximum Permitted Height - CL Zone

If a **lot** in a CL zone is in an area that has:

- (A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 10.0 metres; and
- (B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

- (2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in a CL zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed the maximum **building** height by 2.0 metres

30.20.40.60 Permitted Encroachments

- (1) Permitted Encroachments- Platforms

In a CL zone a platform with no **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a principal **building**, may encroach into a required setback for the principal **building** as follows:

- (A) in a **rear yard**, a platform with a finished floor no higher than the finished **first floor** of

the principal **building** may encroach into the required rear setback the lesser of 2.5 metres or 50% of the required rear setback, if it is no closer to a **side lot line** than the greater of:

- (i) 0.3 metres; or
 - (ii) a distance equal to the vertical distance between the highest part of the finished floor of the platform and the **average grade** at the applicable side of the platform;
- (B) in a **rear yard**, a platform with a finished floor that is higher than the finished **first floor** of the principal **building** may encroach into the required rear setback the lesser of 2.5 metres or 50% of the required rear setback, if it is no closer to a **side lot line** than a distance equal to:
- (i) the required side setback; plus
 - (ii) the vertical distance between the finished **first floor** of the **building** and the average elevation of the ground along the building's rear **main wall**; and
- (C) in a **side yard**, a platform with a finished floor not higher than the finished **first floor** of the principal **building** may encroach into the required side setback a maximum of 1.5 metres, if it is at least 0.3 metres from the **side lot line**; and
- (D) in a **side yard**, a platform with a finished floor that is higher than the finished **first floor** of the principal **building** may encroach into the required side setback a maximum of 1.5 metres if the **side yard** abuts a **street**, but it is not to encroach into a required side setback if the **side yard** does not abut a **street**.

(2) Permitted Encroachments- Canopies and Awnings

Despite Clause 5.10.40.60 (1), in a CL zone a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform meeting the requirements of Clause 30.20.40.60 (1), may encroach into a required setback for the principal **building** as follows:

- A) if above a platform meeting the requirements of Clause 30.20.40.60 (1), the roof, canopy, awning or similar **structure** may encroach into the respective setback to the same extent as the platform it is covering; and
- (B) if not covering such a platform, the canopy, awning or similar **structure** may encroach into a required setback:
- (i) in a front or **rear yard**, the lesser of 2.5 metres or 50% of the applicable required setback, if it is not closer to a **side lot line** than the required side setback; or
 - (ii) in a **side yard**, a maximum of 1.5 metres, if it is at least 0.3 metres from the **side lot lines**.

(3) Permitted Encroachments- Exterior Stairs, Access Ramp and Elevating Device

In a CL zone the following applies:

- (A) exterior stairs providing access to a principal **building** or **structure** may encroach into a required setback, if the stairs:
- (i) are no longer than 1.5 horizontal units for each 1.0 vertical unit above finished grade at the point where the stairs meet the **building** or **structure**;
 - (ii) are no wider than 2.0 metres; and
 - (iii) are at least 0.3 metres from all **lot lines**; and
- (B) an uncovered ramp providing access to a principal **building** or **structure** may encroach into a required setback, if the ramp:
- (i) is no longer than 12 horizontal units for each 1.0 vertical unit above finished grade at the point where the ramp meets the **building** or **structure**;

- (ii) is no wider than 1.5 metres for each sloped ramp segment; and
 - (iii) is no closer to the **lot line** than 0.3 metres; and
- (C) an elevating device providing access to a principal **building** or **structure** may encroach into a required setback, if that the elevating device:
 - (i) elevates no higher than the **first floor** of the **building**;
 - (ii) has a maximum area of 3.0 square metres; and
 - (iii) is not closer to the **lot line** than 0.3 metres.
- (4) Permitted Encroachments- Exterior Main Wall Surface

In a CL zone cladding added to the original exterior surface of the **main wall** of a principal **building**, may encroach into a required setback a maximum of 0.15 metres, if the **building** is at least 5 years old.
- (5) Permitted Encroachments- Architectural Features

In a CL zone the following applies:

 - (A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on a principal **building** may encroach into a required yard setback a maximum of 0.6 metres, if it is at least 0.3 metres from all **lot lines**;
 - (B) a chimney breast, on a principal **building**, may encroach into a required yard setback a maximum of 0.6 metres, if it:
 - (i) is no wider than 2.0 metres; and
 - (ii) if it is at least 0.3 metres from all **lot lines**.
- (6) Permitted Encroachments- Window Projections

In a CL zone a bay window, box window, or other window projection from a **main wall** of a principal **building**, which increases floor area or enclosed space but does not touch the ground, may encroach:

 - (A) into a required **front yard setback** or **rear yard setback** a maximum of 0.75 metres, if these window projections do not in total occupy more than 65% of the width of the front **main wall** or rear **main wall** at each **storey**; and
 - (B) into a required **side yard setback** a maximum of 0.6 metres, if these window projections:
 - (i) do not occupy in total more than 30% of the width of the side **main wall** at each **storey**; and
 - (ii) are at least 0.6 metres from the **side lot line**.
- (7) Permitted Encroachments- Roof Projections

In a CL zone the eaves of the roof on a principal **building** may encroach into a required yard setback a maximum of 0.9 metres, if they are at least 0.3 metres from the **lot line**.
- (8) Permitted Encroachments- Equipment

In a CL zone on a principal **building** the following wall mounted equipment may encroach into specified required setbacks as follows, if they are at least 0.3 metres from all **lot lines**:

 - (A) an air conditioner may encroach into a required rear or **side yard setback** a

maximum of 0.9 metres, if it is not located above the **first floor** when located in a **side yard**;

(B) a satellite dish may encroach into a required yard setback a maximum of 0.9 metres;

(C) an antennae or pole used to hold an antennae may encroach into a required rear or **side yard setback** a maximum of 0.9 metres; and

(D) a vent or pipe may encroach into a required rear or **side yard setback** a maximum of 0.6 metres.

(9) Permitted Encroachments- Utilities

In a CL zone service connections to **public utilities** at any **lot line** may encroach into a required setback.

30.20.40.70 Setbacks

(1) Front Yard Setback Averaging

In the Commercial Local Zone (CL), if a **lot** is located:

(A) beside one **lot** in the Commercial Local Zone, and that abutting **lot** has an existing principal **building** fronting on the same **street** and located, in whole or in part, 15.0 metres or less from the subject **lot**, the minimum required **front yard setback** is the existing **front yard setback** of that **building**; or

(B) between two abutting **lots** in the Commercial Local Zone, each with an existing principal **building** fronting on the same **street** and located, in whole or in part, 15.0 metres or less from the subject **lot**, the minimum required **front yard setback** is the average of the existing **front yard setbacks** of those **buildings**.

(2) Rear YardSetback and Rear Angular Plane

If a **lot** is located in a CL zone, the following applies to the **building** or **structure** on the **lot**:

(A) the minimum **rear yard setback** is 7.5 metres; and

(B) the rear **angular plane** of 45 degrees, measured, if there is no rear **lane**, from grade at the **rear lot line**, or, if there is a rear **lane** abutting the site, from a height above the **rear lot line** equal to the width of the **lane**.

(3) Side Setback where a CL zone abuts a Lot in a Residential Zone

If a **lot** in a CL zone abuts a **lot** in a Residential zone category, the minimum **side yard setback** for the side of the **lot** abutting the **lot** in the Residential zone category is 3.0 metres.

(4) Dormers

In a CL zone, a dormer projecting from the surface of the roof, is not to have any wall of the dormer closer to a **lot line** than the required **building setback**.

30.20.60 Ancillary Buildings and Structures

30.20.60.1 General

(1) Living Accommodation in Ancillary Buildings

In a CL zone, an **ancillary building** may not be used for living accommodation.

30.20.60.20 Setbacks

(20) Ancillary Buildings and Structures on Corner Lots

If a **corner lot** in a CL zone abuts a **lot** in a Residential zone category the minimum required setback for an **ancillary building** or **structure** from the **street** on which the abutting residential **lot** fronts is the minimum required front setback for the abutting residential **lot**.

30.20.60.40 Height

(1) Height of Ancillary Buildings and Structures

In a CL zone, the maximum height of an **ancillary building** or **structure** is 4.0 metres.

30.20.60.200 Exemptions

(1) Exemption- Ancillary Structures Containing Water

In a CL zone, the setback requirements for **ancillary buildings** and **structures** do not apply to a receptacle or **ancillary structure** used to hold water if the total water surface area is no greater than 3.0 square metres.

30.20.80 Parking

30.20.80.10 Location

(50) Parking Restriction Abutting Residential

In a CL zone, a commercially licensed **vehicle** may not be parked or stored in the **side yard** of a **lot** that abuts a **lot** in a residential zone category.

30.20.80.20 Setbacks

(2) Parking Space Setback

In a CL zone, a **parking space** and a **drive aisle** may not be located in any required **front yard** or **side yard setback** that abuts a **street**.

(4) Parking Setback from any lot line

In a CL zone, an area used for the parking or storage of **vehicles** must be separated from any **lot line** by a minimum 1.5 metre wide strip of land used for **soft landscaping**.

30.20.90 Loading

30.20.90.40 Access to Loading Space

(1) Access to Loading Space - Restrictions

In a CL Zone if a **lot**:

- (A) abuts a **lane**, access to a **loading space** on the **lot** must be from the **lane**; and
- (B) does not abut a **lane** but is a **corner lot**, then access to a **loading space** on the **lot** must be from a **street** that is not a **street** shown on the Major **Streets** Overlay Map.

(2) Loading Restrictions Adjacent to a Lot in a Residential Zone

If a **lot** in a CL zone abuts a **lot** in a Residential zone category, the following requirements apply:

- (A) access to the **loading space** may not be through any part of a **lot** in a Residential zone category; and
- (B) any part of a **lot line** abutting a **lot** in a Residential zone category must be fenced.

30.20.100 Access to Lot

30.20.100.10 Location

(10) Driveway Access to a Lot - Landscape Area Exemption

In a CL zone, a **driveway** providing direct access from a **street** or **lane** may cross a required **landscaped** area if the centre line of the part of the **driveway** crossing the required **landscaped** area is within 10 degrees of perpendicular to the part of the **lot line** over which access is taken.

(20) Non-residential Parking Areas adjacent to a Lot in a Residential Zone

If a **lot** in a CL zone abuts a **lot** in a Residential zone category the following requirements apply:

- (A) access to a **parking space** may not be through any part of a **lot** in a Residential zone category; and
- (B) any part of a **lot line** abutting a **lot** in a Residential zone category must be fenced.

30.20.150 Waste

30.20.150.1 General

(1) Waste and Recyclable Materials Storage

All waste and **recyclable material** must be stored in a wholly enclosed **building** as follows:

- (A) the **building** may not be located in a **side yard** that abuts a **street** or in a **front yard**; and
- (B) the **building** must be set back a minimum of:
 - (i) 7.5 metres from a **lot** in a residential zone category, or open space zone category; and
 - (ii) 1.0 metres from all other side or lines or **rear lot lines**.

Chapter 40 Commercial Residential

40.5 Regulations applying to the Commercial Residential Zone Category

40.5.1 General

40.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations contained in Section 40.5 apply to all lands, uses, **buildings** and **structures** in the Commercial Residential zone category.

(2) Interpretation of the Commercial Residential Zone String

The zone symbol on the Zoning By-law Map for commercial-residential zones consists of the letters CR indicating the primary land use permitted in the respective zone which is followed by one or more of the following components:

(A) a numerical value representing the maximum permitted **floor space index** of all land uses on a **lot** and that may then be followed by one or both of the following in brackets:

(i) the letter 'c' followed by a numerical value indicating the maximum **floor space index** permitted for non-residential uses on a **lot**; and

(ii) the letter 'r' followed by a numerical value indicating the maximum **floor space index** permitted for residential uses on a **lot**; and

(B) the development standard set symbol (SS) followed by a number indicating the set of development standards that applies to the **lot**.

(3) Interpretation of the Development Standard Set Symbol

The development standard set symbol (SS) on the Zoning By-law Map for commercial residential zones identifies the development standard set with a numerical value that corresponds to a specific set of development standards that may control one or all of the following principal **building** requirements or yard requirements:

(A) Minimum **Building Setback** from a **Front Lot Line**;

(B) Maximum **Building Setback** from a **Front Lot Line**;

(C) Minimum **Building Setback** from a **Rear Lot Line**;

(D) Minimum **Building Setback** from a **Side Lot Line**;

(E) Maximum **Building Angular Plane** from a **Front Lot Line**;

(F) Maximum **Building Angular Plane** from a **Rear Lot Line**;

(G) Minimum **Landscaping** on a **Lot**; and

(H) Maximum **Building** Height.

(4) Interpretation of Base Building

In a Commercial Residential zone category, the maximum base **building** height is equivalent to 1.0 times the width of the widest **street** right-of-way abutting the **lot**.

40.5.1.20 Restrictions

(1) Living Accommodation in Ancillary Buildings

In a Commercial Residential zone category, an **ancillary building** may not be used for living accommodation.

(2) Use Restrictions on Commercial Residential Lots without Street Frontage

If a **lot** in a Commercial Residential zone category does not front on a **street** and has its only access from a **lane** or private right-of-way that abuts a **lot** in a Residential zone category, the **lot** must be used for no other purpose than permitted parking.

40.5.75 Energy Regulations

40.5.75.1 General

(1) Renewable energy or cogeneration energy device - Location Restriction

In a Commercial Residential zone category a **renewable energy** or **cogeneration energy** device may not be located in a **front yard** or a **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height regulations

In a Commercial Residential zone category, if a photovoltaic **solar energy** device or a thermal **solar energy** device is:

(A) located on a principal **building**;

(i) it must comply with all the minimum set back requirements for a principal **building**; and

(ii) it must have no part of the device more than 2.0 metres higher than the maximum height permitted for a principal **building** excluding any other permitted encroachments into the height limit; and

(B) not located on a principal **building**, the device must comply with all zoning by-law regulations applicable to an **ancillary building** or **structure**.

(3) Wind Energy Device - Setbacks

In a Commercial Residential zone category all parts of **wind energy** device must comply with the minimum setback requirements for a principal **building** on the **lot** where the device is located.

(4) Wind Energy Device - Height

In a Commercial Residential zone category no part of the **wind energy** device is to exceed the maximum permitted height for a principal **building** by more than the following:

(A) if the **wind energy** device is located on a **lot** that abuts a **lot** in a Residential zone category or the maximum permitted height of a principal **building** is less than 25.0 metres, the device may exceed the height limit for a principal **building** by not more than 3.0 metres; and

(B) in all other cases, the **wind energy** device may exceed the height limit for a principal **building** by not more than 5.0 metres.

(5) Geo-energy Requirements

In a Commercial Residential zone category, any above-ground part of a geo-energy device must comply with all the requirements of an **ancillary building** or **structure** on a **lot** in the zone in which the device is located.

(6) Cogeneration device

In a Commercial Residential zone category, a **cogeneration energy** device is only be located inside a permitted principal **building**.

40.10 Commercial Residential Zone (CR)

40.10.1 General

40.10.1.1 Purpose of the Zone

(1) Purpose of the CR Zone

The purpose of the CR zone is to:

- (A) provide for a broad range of uses including retail, service commercial, office and residential uses, often in mixed used **buildings**; and
- (B) limit the impacts on adjacent residential neighbourhoods and contribute to pedestrian amenity.

40.10.1.10 Interpretation

(1) CR Zone Development Standard Sets

In the CR zone there are three development standard sets to assign the base development standards. These development standard sets are SS1, SS2 and SS3.

40.10.20 Permitted Uses

40.10.20.10 Principal Use

(1) Principal Use – CR Zone

In a CR zone, the following uses are permitted if the maximum **floor space index** value associated with the letter 'c' :

Software Development and Processing*

Office

Financial Institution*

Holistic Centre*

Pet Services*

Art Gallery*

Club*

Museum*

Performing Arts Studio*

Community Centre*

Library

Education Use*

Religious Education Use*

Post Secondary School*

Veterinary Hospital*

Courts of Law

Passenger Terminal*

Artist Studio*

Production Studio*

In a CR zone, the following uses are permitted if they comply with the maximum **floor space index** value associated with the letter 'r' :

Park*

Retirement Home*

Residential Care Home*

Religious Residence*

Student Residence*

Respite Care Facility*

Tourist Home*

*This is a defined term in Chapter 800 of this By-law.

40.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – CR Zone

In a CR zone, the following uses are permitted if they comply with the specific conditions set out for each use in Clause 40.10.20.100, and the maximum **floor space index** value associated with the letter 'c' :

Amusement Arcade* (23, 46, 47)

Eating Establishment* (1,33, 22)

Take-out Eating Establishment* (1, 35, 22)

Cabaret* (1)

Nightclub* (2,36)

Hotel* (4, 47)

Personal Service Shop* (22)

Recreation Use* (46)

Entertainment Place of Assembly* (46)

Sports Place of Assembly* (46)

Retail Store* (5, 22)

Retail Service* (17)

Funeral Home* (24)

Vehicle Washing Establishment* (25)

Vehicle Dealership* (26)

Service Shop* (6)

Public Parking* (7,8,9,10,11)

Drive-Through Facility* (12,37)

Vehicle Fuel Station* (13,38)

Vehicle Service Shop* (13,39)

Day Nursery* (27)

Place of Worship* (14,40)

Laboratory* (15)

Private School*(28)

Public School* (28)

Place of Assembly* (29)

Custom Workshop* (16)

In a CR zone, the following uses are permitted if they comply with the specific conditions set out for each use in Clause 40.10.20.100, and the maximum **floor space index** value associated with the letter 'r' :

Dwelling Unit* (18)

Nursing Home* (41)

Seniors Community House* (42)

Crisis Care Shelter* (43)

Group Home* (30)

Municipal Shelter* (31)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 40.10.20.100

40.10.20.30 Ancillary Use

(1) Ancillary Use – CR Zone

In addition to the uses permitted in Clause 5.10.20.30, in a CR zone, the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 40.10.20.100 and in Chapter 150 Specific Use Regulations:

Private-Home Daycare* (44)

Home Occupation* (45)

In a CR zone, the following **ancillary** uses are permitted if they comply with the specific conditions set out for the particular use in Clause 40.10.20.100:

Showroom* (19)

Outdoor Sales or Display* (20)

Outdoor Patio* (21)

*This is a defined term in Chapter 800 of this By-law.

40.10.20.40 Permitted Building Types

(1) Permitted Building Types

In a CR zone, the following **building** types are not permitted: **detached house, semi-detached house, townhouse, triplex or fourplex.**

40.10.20.100 Conditions

(1) Eating Establishment, Take-out Eating Establishment, or Cabaret Condition

In a CR zone, if a **lot** used for an **eating establishment, take-out eating establishment, or cabaret** is within 6.1 metres of a **lot** in a Residential zone category, the total **interior floor area** of all **eating establishments** on the **lot** is not to exceed 400 square metres.

(2) Nightclub Condition

In a CR zone, a **nightclub** may be permitted on a **lot** provided:

(A) the CR zone has a 'c' value of 4.0 or greater.;

(B) the use is located on the ground floor only;

(C) the **lot** does not abut a **lot** in a Residential Zone or Residential Apartment Zone category; and

(D) only one **nightclub** is permitted per **building**.

(4) Hotel Location in a Building containing Dwelling Units Condition

In a CR zone, if a **building** contains residential **dwelling units** and a **hotel**, no **hotel** room or suite is to be located on the same **storey** as any residential **dwelling unit**.

(5) Retail Store Condition

In a CR zone subject to development standard set 2 (SS2), the combined total **interior floor area** of all **retail stores** on a **lot** may not be more than 1,800 square

metres.

(6) Service Shop Condition

In a CR zone, a **service shop** is a permitted use on a **lot** if the **interior floor area** is not more than 400 square metres.

(7) Public Parking Lot Condition

(A) **Public parking** is a permitted use in a CR zone subject to development standard set 1 (SS1) if:

- (i) in a parking **structure**, only if the net **gross floor area** of the **public parking** (including **parking spaces** and drive aisles) is less than the net **gross floor area** of all non-residential uses in a **building** on the same **lot**; and
- (ii) in a surface parking **lot** if the area of the surface parking **lot** (including **parking spaces** and drive aisles) is less than the net **gross floor area** of all non-residential uses on the same **lot**.

(B) **Public parking** is a permitted use in a CR zone subject to development standard set 2 (SS2) if:

- (i) in a parking **structure**, only if the net **gross floor area** of the **public parking** (including **parking spaces** and drive aisles) is less than the net **gross floor area** of all non-residential uses in a **building** on the same **lot**; and
- (ii) in a surface parking **lot**, only:
 - (a) as the sole use on the **lot**; or
 - (b) if the area of the surface parking **lot** (including **parking spaces** and drive aisles) is less than the net **gross floor area** of all non-residential uses on the same **lot**.

(C) **Public parking** is a permitted use in a CR zone subject to development standard set 3 (SS3).

(8) Public Parking Lot - Access Condition

In a CR zone, the entrance or exit to land containing a **public parking** use may only be through a zone that permits a **public parking** use.

(9) Public Parking Abutting a Lot in a Residential Zone Condition

In a CR zone, if a **lot** is used for **public parking** and it abuts a **lot** in a Residential zone category the area used for the parking or storage of a **vehicle** must be at least 1.5 metres from a **lot line** that abuts a **lot** in a Residential zone category.

(10) Public Parking Attendant Shelter Condition

In a CR zone, if a **lot** is used for **public parking**, one **ancillary building** for attendants is permitted if it:

- (A) has maximum height of 4.0 metres, including all mechanical equipment;
- (B) has maximum **gross floor area** of 5.0 square metres; and
- (C) is at least 6.0 metres from a **lot line** that abuts a **street**.

(11) Public Parking Lot Fence Condition

In a CR zone, if a **lot** is used for surface **public parking** a fence must be provided:

- (A) along all **street lot lines**, except for the portions used for **vehicle** and pedestrian access; and

(B) along all **lot lines** abutting a **lot** in a Residential zone category.

(12) Drive-Through Facility Condition

In a CR zone, a **drive-through facility** is a permitted use on a **lot** if the CR zone has an 'r' value of zero.

(13) Vehicle Fuel Station and Vehicle Service Shop Location Condition

In a CR zone, a **vehicle fuel station** and a **vehicle service shop** may be located on a **lot**, only if the **lot** abuts a **street** as shown on the Major **Streets** Overlay Map.

(14) Place of Worship Condition

In a CR zone, a **place of worship** is a permitted use on a **lot** that is in Policy Area 1 (PA1) or Policy Area 2 (PA2) on the Policy Areas Overlay Map.

(15) Laboratory Condition

In a CR zone, a **laboratory** is a permitted use if the **interior floor area** is not more than 1,000 square metres. In the case of a **laboratory** being an **ancillary** use to a medical office, the **laboratory** may not exceed 50% of the **interior floor area** to a maximum of 1,000 square metres.

(16) Custom Workshop Condition

In a CR zone, a **custom workshop** is a permitted use on a **lot** if the **interior floor area** is not more than 400 square metres.

(17) Retail Service Condition

In a CR zone a **retail service** is permitted on a **lot** if the **interior floor area** is not more than 400 square metres.

(18) Dwelling Unit Condition

In a CR zone a **dwelling unit** is only permitted in a permitted **building** type that contains 5 **dwelling units** or more.

(19) Showroom Condition

In a CR zone, a **showroom** is permitted as an **ancillary** use up to a maximum of 10% of the allowable **interior floor area** of the principal use.

(20) Outdoor Displays or Sales Condition

In a CR zone, outdoor display or sale of goods or commodities is permitted if it complies with the following:

(A) no goods or commodities are to be placed within 15.0 metres of a **lot line** that abuts a **lot** in a Residential zone category;

(B) the cumulative area used for the outdoor display or sale of goods or commodities is not to exceed 250 square metres; and

(C) the storage or warehousing of goods in a **vehicle** may not be permitted.

(21) Outdoor Patio - Ancillary to Specified Uses, Size Limit and Distance Separation Condition

In a CR zone, an **outdoor patio** is permitted together with any of these uses:

Amusement Arcade*

Club*

Eating Establishment*
Take-out Eating Establishment*
Cabaret*
Nightclub*
Entertainment Place of Assembly,*
Place of Assembly*
Sports Place of Assembly*
Recreation Use;

the **outdoor patio** is to:

- (A) have a maximum area the greater of:
 - (i) 30 square metres; or
 - (ii) 30% of the **interior floor area** of the **premises** it is associated with;
 - (B) not be used to provide entertainment uses such as music and dancing, whether as an **ancillary** use or associated with the principal use;
 - (C) is at least 10.0 metres from a **lot** in a Residential zone category;
 - (D) despite (C) above, an **outdoor patio** located on a roof, or on a platform that is higher than 0.6 metres above **average grade**, must be at least 40.0 metres, measured horizontally, from a **lot** in a Residential zone category; and
 - (E) if a **lot** abuts a **lot** in a Residential zone category, or a **lot** is within 10.0 metres of a **lot** in a Residential zone category, an out door patio located in the **rear yard** of the **lot** must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**.
- (22) Retail Store, Personal Service Shop, Eating Establishment or Take-or Eating Establishment-Amusement Device Condition
- In a CR zone, a **retail store**, **personal service shop**, **eating establishment**, or **take-out eating establishment** with an **interior floor area** of at least 130 square metres may have a maximum of 2 **amusement devices**.
- (23) Amusement Arcade - Size condition
- In a CR zone, an **amusement arcade** is permitted if
- (A) the **building** has a minimum of 20,000 square metres of **gross floor area**, none of which is for a use permitted under the letter 'r'; in Clause 40.10.20.10 or 40.10.20.20;
 - (B) the maximum number of **amusement devices** in the **amusement arcade** is 36; and
 - (C) the minimum **interior floor area** for used for an **amusement arcade** is equal to 6.0 square metres for each **amusement device**.
- (24) Funeral Home
- A **funeral home** must comply with the specific use regulations in Section 150.120.
- (25) Vehicle Washing Establishment
- A **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.
- (26) Vehicle Dealership

A **vehicle dealership** must comply with the specific use regulations in Section 150.90.

(27) Day Nursery

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

(28) School

A **Public School** and a **Private School** must comply with the specific use regulations in Section 150.48.

(29) Place of Assembly- Banquet Hall

A **place of assembly** that is a banquet hall must comply with the specific use regulations in Section 150.98.

(30) Group Home

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

(31) Municipal Shelter

A **municipal shelter** must comply with the specific use regulations in Section 150.22.

(33) Eating Establishment

An **eating establishment** must comply with the specific use regulations in Section 150.100.

(35) Take-out Eating Establishment

A **take-out eating establishment** must comply with the specific use regulations in Section 150.100.

(36) Nightclub

A **nightclub** must comply with the specific use regulations in Section 150.60.

(37) Drive-through

A drive-through must comply with the specific use regulations in Section 150.80.

(38) Vehicle Fuel Station

A **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(39) Vehicle Service Shop

A **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(40) Place of Worship

A **place of worship** must comply with the specific use regulations in Section 150.50.

(41) Nursing Home

A **nursing home** must comply with the specific use regulations in Section 150.130.

(42) Seniors Community House

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

(43) Crisis Care Shelter

A **crisis care shelter** must comply with the specific use regulations in Section 150.20.

(44) Private Home Daycare

A private home daycare must comply with the specific use regulations in Section 150.40.

(45) Home Occupation

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

(46) Entertainment Place of Assembly, Sports Place of Assembly, or Recreational Use- Amusement Device Condition

In a CR zone, the use may not to have more than 12 **amusement devices** and these devices may not be located in a hallway, lobby or other pedestrian area if the **amusement devices** are in the same **building** as an **entertainment place of assembly**, a **sports place of assembly** or **recreation use**.

(47) Amusement Arcade - Locational Limitation

In a CR zone, an **amusement arcade** may not be located:

(A) in a **building** that also contains a **hotel** with less than 100 guest rooms; and

(B) on a **lot** if any part of the **lot** is less than:

(i) 150 metres from any other **lot** containing an **amusement arcade**; and

(ii) 300 metres from any **lot** containing a **public school** or **private school**.

40.10.30 Lot Requirements

40.10.30.1 General

(1) Commercial Development Parcel- Compliance in its Entirety

In a CR zone, if one or more **lots** are used jointly as a commercial development the regulations of this By-law is to apply to the development as a whole.

40.10.30.20 Frontage

(1) Minimum Lot Frontage for Lots in a CR zone

In a CR zone, the minimum **lot frontage** is 9.0 metres.

40.10.30.200 Exemptions

(1) Existing Lot Frontage Exemption for Lots in a CR zone

If a **lot** in a CR zone has a lawful minimum **lot frontage** less than that permitted by this By-law, the minimum **lot frontage** for that **lot** is to be the **lot frontage** that existed on the date of the enactment of this By-law.

40.10.40 Principal Building Requirements

40.10.40.1 General

(1) Location of Commercial Uses in a Mixed Use Building Condition

If a **lot** in a CR zone contains a mixed use commercial **residential building**, all residential use portions of the **building** must be located above commercial use portions.

(2) Commercial Uses - Location of Entrances and First Floor Elevation

In a CR zone, for any non-residential use, the finished floor level of the first **storey** is to:

(A) be within 0.2 metres of grade measured at the **street** line directly opposite each pedestrian entrance; and

(B) have a pedestrian access, other than service entrances, which, if not level with the public sidewalk closest to the entrance, is accessed by a ramp which rises no more than .04 metres (4 centimetres) vertically for every 1.0 metre (100 centimetres) horizontally.

(3) Residential Use Orientation to Street

In a CR zone, a **building** containing a **dwelling unit** may not be erected in a location so that another **building** is between any **main wall** of the **building** and the **street** on which the **building** fronts.

(4) Hotel - Orientation to Street

In a CR zone, no **building** is to be used as a **hotel** if another **building** is located between it and the **street** that the **hotel** fronts on.

40.10.40.10 Height

(1) Determining the Height of Principal Building in Commercial Residential Zones

Unless otherwise stated in this By-law, the height of a principal **building** or **structure** on a **lot** is measured as the distance between the average elevation of grade along the **front lot line**, or in the case of a **corner lot**, the average elevation of grade along all **lot lines** that abut a **street** and the elevation of the highest point on the **building**.

(2) Determining the Height of Structures in Commercial Residential Zones

Unless otherwise stated in this By-law, the height of a **structure**, other than a principal **building**, is the distance between the elevation of the **average grade** to the elevation of the highest point of the **structure**.

(3) Development Standard Set 1 - Maximum Permitted Height

If a **lot** in a CR zone is in an area that is subject to Development Standard Set 1 (SS1), and has:

(A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 16.0 metres; and

(B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(4) Development Standard Set 2 - Maximum Permitted Height

If a **lot** in a CR zone is in an area that is subject to Development Standard Set 2 (SS2), and has:

(A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 14.0 metres; and

(B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(5) Development Standard Set 3 - Maximum Permitted Height

If a **lot** in a CR zone is in an area that is subject to Development Standard Set 3 (SS3), and has:

- (A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 11.0 metres; and
- (B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(6) Minimum Required Height in certain CR zones

If a **lot** in a CR zone has a **floor space index** value of greater than 0.0 for the residential uses on the **lot**, and the **lot** is located in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), or Policy Area 4 (PA4) then the minimum height of a **building** or **structure** is 10.5 metres and there must be a minimum of 3 storeys.

(7) Minimum Height of First Storey for Non-residential Uses

In a CR zone the minimum height, measured floor-to-floor, of the **storey** of a **building** closest to grade is to be 4.5 metres.

(8) Height of Buildings and Structures - Height Exemption for Specified Structures

In a CR zone, a parapet wall used for wind protection for a **green roof** may exceed the maximum **building** height by 2.0 metres.

40.10.40.40 Floor Area

(1) Buildings lawfully existing prior to Date of Enactment

In a CR zone, if a lawfully erected **building** on the date of the enactment of this By-law had a **gross floor area** greater than that permitted by this By-law:

- (A) the **building** may be used for any purpose permitted in the zone in which the **lot** is located, if the total **gross floor area** of all uses is not more than that which was lawfully existing on the **lot** on the date of the enactment of this By-law; and
- (B) where a **lot** is located in a CR zone that has an 'r' value greater than 0.0, any **gross floor area** used for non-residential uses existing on the **lot** on the date of the enactment of this By-law, may be converted to residential uses.

(2) Development Standard Set 1- Maximum Interior Floor Area per Floor for Tower Portion of Mixed Use or Residential Buildings

In a CR zone subject to Development Standard Set 1 (SS1) and where the maximum permitted height as set out in 40.10.40.10 (3) is equal to or greater than 46.0 metres for the portion of a mixed-use or **residential building** which has a height greater than 80% of the right-of-way of the **street** it abuts the maximum **interior floor area** per floor is not to exceed 750 square metres.

(3) Heritage Site – Designated Buildings Gross Floor Area Exclusion and Requirement

In a CR zone, a **building** that is identified as a **heritage site** and designated by the City of Toronto under the Ontario Heritage Act, R.S.O. 1990, as amended, or a predecessor or successor thereof, may be used for any purpose permitted in such zone without complying with the maximum residential **gross floor area** or non-residential **gross floor area** permitted if:

- (A) the **gross floor area** of the **building** is not more than the total amount existing within such **building** at the time of designation as a **heritage site**;
 - (B) the **building** is subject to an easement agreement pursuant to the Ontario Heritage Act, R.S.O. 1990, as amended, or a predecessor or successor thereof; and
 - (C) a permitted addition or alteration increases the **gross floor area** of the **building**:
 - (i) the whole of the **building** is not to exceed the maximum permitted **gross floor area**; and
 - (ii) the uses permitted in the addition or alteration, in combination with the uses existing in the **building**, is not to exceed the permitted maximum residential **gross floor area** and the non-residential **gross floor area** for the **lot**.
- (4) Pedestrian Walkways - Gross Floor Area Exclusion in SS1 Areas

In a CR zone, if a **non-residential building** or a mixed use **building** is subject to Development Standard Set 1 (SS1), the following are exempt from the calculation of the **gross floor area**:

- (A) one or more enclosed pedestrian walkways that:
 - (i) provide direct access to **streets, parks, public buildings, outdoor amenity space** accessible to the public, public **transportation uses**, or a similar walkway in an adjacent **building**;
 - (ii) are within 2.0 metres of grade;
 - (iii) have a minimum width of 3.0 metres;
 - (iv) are not used for commercial purposes, such as **hotel** lobbies, retail areas, commercial display areas or other rentable space;
 - (v) are located a minimum distance of 10.0 metres from any **street** that is within 20 degrees of parallel from the pedestrian walkway; and
 - (vi) in the case of a pedestrian walkway providing direct access between **streets, public buildings** or similar walkways in adjacent **buildings**, such pedestrian walkway must be located at a minimum distance of 60.0 metres from any part of any other such pedestrian walkway; and
- (B) one or more washrooms or sitting areas that have access to the enclosed pedestrian walkways described in (A) above.

40.10.40.50 Amenity Space

- (1) Amenity Space for Buildings containing 20 or more dwelling units

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

- (A) a minimum of 2.0 square metres for each **dwelling unit** must be indoor **amenity space**;

- (B) a minimum of 40.0 square metres must be outdoor **amenity space** located on the ground and adjoining or directly accessible to the indoor **amenity space**; and
 - (C) a maximum of 25% of the outdoor component may be in the form of a **green roof**.
- (2) Amenity Space for Buildings with Non-Residential Uses in SS1 Areas
- In a CR zone subject to Development Standard Set (SS1), a **building** containing non-residential **gross floor area** which is located on a **lot** having one or more **lot lines** exceeding 12.0 metres in length and which abuts a **street**, must provide outdoor **amenity space** at a minimum rate of:
- (A) the lesser of 1.5% of the non-residential **interior floor area** in the **building** or **structure**, or 4.5% of the area of the **lot**, if one **lot line** exceeds 12.0 metres in length and abuts a **street**;
 - (B) the lesser of 3.0% of the non-residential **interior floor area** in the **building** or **structure**, or 9.0% of the area of the **lot**, if two **lot lines** exceed 12.0 metres in length and abuts a **street**;
 - (C) the lesser of 4.5% of the non-residential **interior floor area** in the **building** or **structure**, or 13.5% of the area of the **lot**, if three **lot lines** exceed 12.0 metres in length and abuts a **street**; or
 - (D) the lesser of 6.0% of the non-residential **interior floor area** in the **building** or **structure**, or 18.0% of the area of the **lot**, if four or more **lot lines** exceed 12.0 metres in length and abuts a **street**.

40.10.40.60 Permitted Encroachments

(1) Permitted Encroachments- Platforms

In a CR zone a platform with no roof, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a principal **building**, may encroach into a required setback for the principal **building** as follows:

- (A) a platform with a finished floor level that is not higher than the finished floor level of the **first floor** of the principal **building** may encroach into the required setback 2.5 metres or 50% of the required setback if: it is not closer to a **lot line** than 0.3 metres and if it is not located between the **building** and a **lot line** that abuts a **street**;
- (B) a platform with a finished floor level that is higher than the finished floor level of the **first floor** of the principal **building** is to be located behind the **main wall** to which it is attached; and
- (C) no encroachments of any platforms are permitted into the setback required by clause 40.10.40.70 (3)(B).

(2) Permitted Encroachments- Canopies and Awnings

Despite Clause 5.10.40.60 (1), in a CR zone a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform meeting the requirements of Clause 40.10.40.60 (1), may encroach into a required setback for the principal **building** as follows:

- A) when above a platform meeting the requirements of Clause 40.10.40.60 (1), the roof, canopy, awning or similar **structure** may encroach into the respective setback to the same extent as the platform it is covering; and

- (B) when not covering such a platform, the canopy, awning or similar **structure** may encroach into a required setback,
 - (i) in a front or **rear yard**, the lesser of 2.5 metres or 50% of the applicable required setback, if it is not closer to a **side lot line** than the required side setback; or
 - (ii) in a **side yard**, a maximum of 1.5 metres, if it is not closer to the **side lot line** than 0.3 metres; and
 - (iii) no encroachments of any canopies or awnings are permitted into the setback required by clause 40.10.40.70 (3)(B).
- (3) Permitted Encroachments- Exterior Stairs, Access Ramp and Elevating Device
 - (A) In a CR zone exterior stairs providing access to a principal **building** or **structure** may encroach into a required setback, if the stairs:
 - (i) are no longer than 1.5 horizontal units for each 1.0 vertical unit above finished grade at the point where the stairs meet the **building** or **structure**;
 - (ii) are no wider than 2.0 metres; and
 - (iii) are no closer to the **lot line** than 0.3 metres.
 - (B) In a CR zone an uncovered ramp providing access to a principal **building** or **structure** may encroach into a required setback, if that the ramp:
 - (i) is no longer than 12 horizontal units for each 1.0 vertical unit above finished grade at the point where the ramp meets the **building** or **structure**;
 - (ii) is no wider than 1.5 metres for each sloped ramp segment; and
 - (iii) is no closer to the **lot line** than 0.3 metres.
 - (C) In a CR zone an elevating device providing access to a principal **building** or **structure** may encroach into a required setback, if that the elevating device:
 - (i) elevates no higher than the **first floor** of the **building**;
 - (ii) has a maximum area of 3.0 square metres; and
 - (iii) is no closer to the **lot line** than 0.3 metres.
- (4) Permitted Encroachments- Exterior Main Wall Surface

In a CR zone cladding added to the original exterior surface of the **main wall** of a principal **building**, may encroach into a required setback a maximum of 0.15 metres, if the **building** is at least 5 years old.
- (5) Permitted Encroachments- Architectural Features
 - (A) In a CR zone a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on a principal **building** may encroach into a required setback a maximum of 0.6 metres, if it is no closer to the **lot line** than 0.3 metres.
 - (B) In a CR zone a chimney breast, on a principal **building**, may encroach into a required setback a maximum of 0.6 metres, if it:
 - (i) is no wider than 2.0 metres; and
 - (ii) is no closer to the **lot line** than 0.3 metres.
- (6) Permitted Encroachments- Window Projections

In a CR zone a bay window, box window, or other window projection from a **main wall**

of a principal **building**, which increases floor area or enclosed space but does not touch the ground, may encroach:

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

(7) Permitted Encroachments- Roof Projections

In a CR zone on a principal **building**:

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

(8) Permitted Encroachments- Equipment

In a CR zone on a principal **building**, wall mounted equipment may encroach into a required setback as follows, if they are no closer to the **lot line** than 0.3 metres:

- (A) an air conditioner may encroach into a required rear or **side yard setback** a maximum of 0.9 metres, if it is not located above the **first floor**;
- (B) a satellite dish may encroach into a required setback a maximum of 0.9 metres;
- (C) an antennae or pole used to hold an antennae may encroach into a required rear or side setback a maximum of 0.9 metres; and
- (D) a vent or pipe may encroach into a required rear or side setback a maximum of 0.6 metres.

(9) Permitted Encroachments- Utilities

In a CR zone service connections to **public utilities** at any **lot line** may encroach into a required setback.

(10) Permitted Encroachments - Required Angular Planes

Despite clauses 5.10.40.60(4), 5.10.40.60 (5), 5.10.40.60 (6), 40.10.40.10 (8), 40.10.40.60(1), 40.10.40.60(2), 40.10.40.60(3), 40.10.40.60(5), 40.10.40.60(6), 40.10.40.60(7), and 40.10.40.60(8), no encroachments are permitted into the **angular planes** in clauses 40.10.40.70 (4)(D), 40.10.40.70 (4)(E), and 40.10.40.70 (5)(D), or any **angular planes** otherwise required by this By-law.

40.10.40.70 Setbacks

(1) Development Standard Set 1 - Setbacks for Buildings where Permitted Height is Less than 46.0 Metres

In a CR zone subject to Development Standard Set 1 (SS1) and where the maximum permitted height as set out in 40.10.40.10 (3) is less than 46.0 metres, a **building** or **structure** which is constructed after the date of enactment of this By-law will comply with the following:

The **building** shall be set back:

- (A) a maximum of 3.0 metres from a **front lot line**;

- (B) a minimum of 75% of the **main wall** of the **building** facing a **front lot line** shall be located at or between the **front lot line** and the maximum setback;
 - (C) where the wall of a **building** contains windows or openings, the wall shall be set back a minimum of 5.5 metres from a **front lot line** that is not adjacent to a **street** or **lane**, otherwise no setback is required; and
 - (D) where the wall of a **building** does not contain windows or openings, the wall shall be set back a minimum of 3.0 metres from any abutting rear or **side lot line** if the **building** is on a **lot** which abuts a **lot** in a Residential zone category, otherwise no setback is required.
- (2) Development Standard Set 1 - Setbacks for Base Buildings where Permitted Height is Equal to or Greater than 46.0 Metres

In a CR zone subject to Development Standard Set 1 (SS1) and where the maximum permitted height as set out in 40.10.40.10 (3) is equal to or greater than 46.0 metres, a **building** or **structure** which is constructed after the date of enactment of this By-law will comply with the following:

The portion of the **building** which has a height equal to or less than 80% of the width of the **street** right-of-way of the **street** it abuts will be set back:

- (A) a maximum of 3.0 metres from a **front lot line**;
 - (B) a minimum of 75% of the **main wall** of the **building** facing a **front lot line** shall be located at or between the **front lot line** and the maximum setback;
 - (C) where the wall of a **building** contains windows or openings, the wall shall be set back a minimum of 5.5 metres from a **front lot line** that is not adjacent to a **street** or **lane**, otherwise no setback is required; and
 - (D) where the wall of a **building** does not contain windows or openings, the wall shall be set back a minimum of 3.0 metres from any abutting rear or **side lot line** if the **building** is on a **lot** which abuts a **lot** in a Residential zone category, otherwise no setback is required.
- (3) Development Standard Set 1- Setbacks for Tower Portion of Buildings

In a CR zone subject to Development Standard Set 1 (SS1) and where the maximum permitted height as set out in 40.10.40.10 (3) is equal to or greater than 46.0 metres, a **building** or **structure** which is constructed after the date of enactment of this By-law will comply with the following:

- (A) The portion of the **building** which has a height equal to or less than 80% of the width of the **street** right-of-way of the **street** it abuts will be set back:
 - (i) where the wall of a **building** contains windows or openings, the wall shall be set back a minimum of 5.5 metres from a **front lot line** that is not adjacent to a **street** or **lane**, otherwise no setback is required; and
 - (ii) where the wall of a **building** does not contain windows or openings, the wall shall be set back a minimum of 3.0 metres from any abutting rear or **side lot line** if the **building** is on a **lot** which abuts a **lot** in a Residential zone category, otherwise no setback is required;

(B) A **building** or **structure** that contains a **hotel** or **dwelling unit** will, for a minimum of two-thirds of the length of all walls facing a **street**, be set back a minimum of 3.0 metres from the **front wall** of the portion of the **building** with a height equal to or less than 80% of the abutting **street** right-of-way; and

(C) No encroachments are permitted into the setback required in (B) above.

(4) Development Standard Set 2 - Building Setbacks

In a CR zone subject to Development Standard Set 2 (SS2), a **building** or **structure** which is constructed after the date of enactment of this By-law which has a height equal to or less than the width of the right-of-way of the **street** it abuts shall comply with the following:

(A) the **building** shall be setback:

- (i) a maximum of 3.0 metres from a **front lot line**;
- (ii) a minimum of 75% of the **main wall** of the **building** facing a **front lot line** shall be located at or between the **front lot line** and the maximum setback;
- (iii) a minimum of 7.5 metres from the **rear lot line**; and
- (iv) a minimum of 1.5 metres from the **rear lot line** if the **rear lot line** abuts a **lane**.

(B) Where the wall of a **building** contains windows or openings, the wall shall be set back a minimum of 5.5 metres from a **side lot line** that is not adjacent to a **street** or **lane**, otherwise no setback is required.

(C) Where the wall of a **building** does not contain windows or openings, the wall shall be set back a minimum of 3.0 metres from any abutting **side lot line** if the **building** is on a **lot** which abuts a **lot** in a Residential zone category, otherwise no setback is required.

(D) the **building** shall not penetrate:

- (i) a 45 degrees **angular plane**, measured at a line parallel to and 10.5 metres above the required **rear yard setback** if the **building** is on a shallow **lot**; and
- (ii) a 45 degrees **angular plane**, measured at a line parallel to and 7.5 metres above the required **rear yard setback** if the **building** is on a deep **lot**.

For the purposes of this clause, a shallow **lot** is a **lot** with a **lot depth** less than that which is prescribed in column B corresponding to the width of the **street** right-of-way on which the **lot** has frontage in column A.

For the purposes of this clause, a deep **lot** is a **lot** with a **lot depth** greater than or equal to that which is prescribed in column B corresponding to the width of the **street** right-of-way on which **lot** has frontage in column A:

Width of **street** right-of-way **Lot depth**

(column A) (column B)

20 metres 37.5 metres

27 metres 42.5 metres
30 metres 46.5 metres
36 metres 52.5 metres

For the purposes of this clause, the specified height above the the required **rear yard setback** at which the **angular plane** is to be measured, shall be taken from the **average grade** along the **rear lot line**.

- (E) the **building** shall not penetrate a 45 degrees **angular plane**, measured at a line parallel to and at a height above a **lot line** that abuts a **street** and is not a **rear lot line**, equal to 80% of the width of the **street** right-of-way on which the **lot** has frontage.
- (F) If a **lot** has two or more **lot lines** which abut a **street**, then the width of the widest abutting **street** right-of-way shall be taken to apply clause 40.10.40.10 (4).
- (G) Despite clause 40.10.40.70 (E), the maximum height of a **building** or **structure** is that which is set out in Clause 40.10.40.10 (4).
- (5) Development Standard Set 3 - Building Setbacks
- In a CR zone subject to Development Standard Set 3 (SS3), a **building** or **structure** which is constructed after the date of enactment of this By-law which has a height equal to or less than the width of the right-of-way of the **street** it abuts shall comply with the following:
- (A) the **building** shall be setback:
- (i) a minimum of 7.5 metres from the **rear lot line**;
 - (ii) a minimum of 1.5 metres from the **rear lot line** if the **rear lot line** abuts a **lane**;
and
 - (iii) a minimum of 3.0 metres from a **side lot line** if the **side lot line** abuts a **street** not shown on the Major Roads Overlay.
- (B) Where the wall of a **building** contains windows or openings, the wall shall be set back a minimum of 5.5 metres from a **side lot line** that is not adjacent to a **street** or **lane**, otherwise no setback is required.
- (C) Where the wall of a **building** does not contain windows or openings, the wall shall be set back a minimum of 3.0 metres from any abutting **side lot line** if the **building** is on a **lot** which abuts a **lot** in a Residential zone category, otherwise no setback is required.
- (D) the **building** shall not penetrate:
- (i) a 45 degrees **angular plane**, measured at a line parallel to and 10.5 metres above the required **rear yard setback** if the **building** is on a shallow **lot**; and
 - (ii) a 45 degrees **angular plane**, measured at a line parallel to and 7.5 metres above the required **rear yard setback** if the **building** is on a deep **lot**.

For the purposes of this clause, a shallow **lot** is a **lot** with a **lot depth** less than that which is prescribed in column B corresponding to the width of the **street** right-of-way on which the **lot** has frontage in column A.

For the purposes of this clause, a deep **lot** is a **lot** with a **lot depth** greater than or equal to that which is prescribed in column B corresponding to the width of the **street** right-of-way on which **lot** has frontage in column A:

| Width of street right-of-way | | Lot depth | |
|-------------------------------------|--------|------------------|--------|
| (col | umn A) | (col | umn B) |
| 20 | metres | 37.5 | metres |
| 27 | metres | 42.5 | metres |
| 30 | metres | 46.5 | metres |
| 36 | metres | 52.5 | metres |

For the purposes of this clause, the specified height above the the required **rear yard setback** at which the **angular plane** is to be measured, shall be taken from the **average grade** along the **rear lot line**.

(6) Minimum Setback from Front Lot Line for Residential Uses

Despite clauses 40.10.40.70 (1)(A)(i), 40.10.40.70 (2)(A)(i), and 40.10.40.70 (4)(A)(i), any portion of a **building** or **structure** containing residential uses located in the **storey** of a **building** closest to grade is to be set back 3.0 metres from the **front lot line**.

40.10.40.80 Separation

(1) Separation of Building Walls - Development Standard Set 1

For a **lot** in a CR zone, subject to Development Standard Set 1 (SS1), any wall of a **building** that is not subject to Clause 40.10.40.80 (3) must comply with the following:

- (A) if a wall of the **building** has windows and a line projected at a right angle from one of these walls intercepts another such wall on the same **lot**, the minimum above ground distance between the walls must be 11.0 metres; or
- (B) if a wall of the **building** has windows facing a wall which does not have windows and a line projected at a right angle from one of these walls intercepts the other wall, the minimum above ground distance between them must be 5.5 metres.

(2) Separation of Building Walls - Development Standard Set 2 and Development Standard Set 3

For a **lot** in a CR zone, subject to Development Standard Set 2 (SS2) or Development Standard Set 3 (SS3), that portion of the **building** which has a height equal to or less than the width of the right-of-way of the **street** it abuts must comply with the following:

- (A) if a wall of the **building** has windows and a line projected at a right angle from one of these walls intercepts another such wall on the same **lot**, the minimum above ground distance between the walls must be 11.0 metres; or
- (B) if a wall of the **building** has windows facing a wall which does not have windows and

a line projected at a right angle from one of these walls intercepts the other wall, the minimum above ground distance between them must be 5.5 metres.

(3) Development Standard Set 1- Separation Between Tower Portions of Buildings on Same Lot

In a CR zone subject to Development Standard Set 1 (SS1), and where the maximum permitted height as set out in 40.10.40.10 (3) is equal to or greater than 46.0 metres, all **main walls** of the portion of a **building** which has a height greater than 80% of the right-of-way of the **street** it abuts are to be separated a minimum of 25.0 metres from any other **main wall** of the **building** on the **lot** as measured by a line projected at a right angle from one **main wall** to the other **main wall**.

40.10.40.200 Exemptions

(1) Maximum Interior Floor Area per Floor for Tower Portion- Hotel Exemption

The maximum **interior floor area** per floor required by 40.10.40.40 (2), does not apply to a **building** used as a **hotel**.

(2) Development Standard Set 1 Height Exemption

If on the date of enactment of this bylaw in a Commercial Residential Zone (CR), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by Regulation 40.10.40.10 (3) of this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(3) Development Standard Set 2 Height Exemption

If on the date of enactment of this bylaw in a Commercial Residential Zone (CR), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by Regulation 40.10.40.10 (4) of this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(4) Development Standard Set 3 Height Exemption

If on the date of enactment of this bylaw in a Commercial Residential Zone (CR), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by Regulation 40.10.40.10 (5) of this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(7) Amenity Space Exemption for Non-Residential Uses in SS1 Areas

The **amenity space** required by 40.10.40.50 (2) does not apply if:

- (A) the non-residential **interior floor area** in the **building** or **structure** is less than 625 square metres; or
- (B) the **building** or **structure** on the **lot** legally existed in the year 1976.

40.10.50 Yards

40.10.50.10 Landscaping

(1) Landscaping Requirement in CR Development Standard Set 3

If a **lot** located in a CR zone is subject to Development Standard Set 3 (SS3), and the **building** is set back from the **front lot line** 3.0 metres or greater, a minimum of 3.0 metres of **soft landscaping** must be provided along any **lot line** that abuts a **street** excluding one 6.0 metre wide **driveway** that is perpendicular to the **lot line** that abuts the **street**.

(2) Abutting a Lot in a Residential or Residential Apartment Zone - Fence Requirement

In a CR zone, if a **lot** abuts a **lot** in a Residential zone category or a Residential Apartment zone category a fence must be installed along the portion of **lot line** abutting the **lot** in the Residential zone category or Residential Apartment zone category.

40.10.60 Ancillary Buildings and Structures

40.10.60.40 Height

(1) Height of Parking Structure

In a CR zone, the maximum height for a parking **structure** is the lesser of:

- (A) 4.0 metres if the **lot** abuts a **lot** in a Residential zone category; or
- (B) 11.0 metres.

40.10.60.200 Exemptions

(2) Ancillary Structures Containing Water Exemption

In a CR zone, the setback requirements for **ancillary buildings** and **structures** do not apply to a receptacle or **ancillary structure** used to hold water if that the total water surface area is no greater than 3.0 square metres.

40.10.80 Parking

40.10.80.1 General

(1) Parking Space Allocation Mixed Use Building

In a CR zone, if a **building** contains both residential and non-residential uses and has less than 25 **dwelling units**, a minimum of one-third (1/3) of the total **parking spaces** required for all the uses in the **building** must be available to all occupants of or visitors to the **building**, without in any way assigning any of those **parking spaces** for exclusive use.

(2) Bachelor Unit Size for Parking Space Calculation

For the purpose of calculating **parking space** requirements, bachelor **dwelling unit** must not have an **interior floor area** greater than 45 square metres.

(3) Parking Rates for Enclosed Common Areas and Walkways in Commercial Malls

In a CR zone, unless otherwise stated in this By-law, common areas and walkways in an enclosed commercial retail mall have the following **parking space** requirements calculated for each floor as follows:

- (A) if the interior floor space of the floor included **retail stores** and any other use; the **parking space** requirement for **retail stores** applies to the common areas and

walkways; and

- (B) if the interior floor space of the floor is for only one use; the **parking space** requirement for the use on that floor applies to the common areas and walkways.

(4) Parking Rates for Public Common Areas and Walkways in Office Buildings

In a CR zone, unless otherwise stated in this By-law, ground floor common areas and walkways in an office **building** have the following **parking space** requirements calculated as follows:

- (A) if the total interior floor space of non-office uses exceeds the interior floor space for office uses in the **building**, the **parking space** requirement for non-office uses applies to the common areas and walkways; and
- (B) if the total interior floor space of office uses exceeds the interior floor space for non-office uses in the **building**, the **parking space** requirement for office uses applies to the common areas and walkways.

40.10.80.10 Location

(1) Location of Outdoor Surface Parking- SS1 and SS2 Areas

In CR zones subject to Development Standard Sets 1 and 2 (SS1, SS2), a surface **parking space** may not be located in the **front yard**.

40.10.80.20 Setbacks

(1) Location of Parking or Loading

In a CR zone, a **parking space**, **loading space**, **drive aisle** or **driveway**, except for a **driveway** which is within 10 degrees of perpendicular to the **lot line** and less than 6.0m wide, may not be located closer to a front or **side lot line** than the required setback.

40.10.80.30 Separation

(1) Location of Outdoor Surface Parking- Corner Lots in SS2 Area

On a **corner lot** in a CR zone subject to Development Standard Set 2 (SS2), a **parking space** must be at least 7.5 metres from a **lot** in a Residential zone category or Open Space zone category.

40.10.80.200 Exemptions

(1) Parking Exemption for Change of Non-residential Use in SS2 Area

If a **lot** in a CR zone is subject to Development Standard Set 2 (SS2) and a change of non-residential use is proposed for a **building** which lawfully existed or was erected pursuant to a **building** permit issued on or before March 1, 1994, and a minimum of 75% of the **lot area** is occupied by the **building**:

- (A) additional **parking spaces** may not be required for a non-residential use; and
- (B) the number of **parking spaces** existing on the **lot** on March 1, 1994 may not be reduced.

(2) Parking Rate Exemption - Certain Lots if abutting a Lane

In a CR zone, despite the **parking space** requirements contained in Chapter 200 **Parking Space** Regulations, if a **lot** abutting a **lane** has a **lot depth** of 40.0 metres or less, with a **building**:

- (A) that is not more than two floors above grade;
- (B) that is not greater in width than 12.5 metres;

- (C) if the ground floor contains only commercial uses;
- (D) if the ground floor contains a maximum of two commercial uses; and
- (E) if the second floor contains a maximum of 4 **dwelling units**;

the **lot** is to contain an area not less than 7.5 times the width of the **lot** at the **rear lot line**, which is to only be used for **parking spaces** and loading facilities, if there is a minimum of one **parking space** for each **dwelling unit**.

(3) Parking Rate Exemption - Certain Lots if not abutting a Lane

In a CR zone, despite the **parking space** requirements contained in Chapter 200 **Parking Space** Regulations, if a **lot** has a **lot depth** of 40.0 metres or less, and contains a **building**:

- (A) that is not more than two floors above grade;
- (B) that is greater in width than 12.5 metres;
- (C) if the ground floor contains only commercial uses;
- (D) if the ground floor contains more than two commercial uses;
- (E) if the maximum **interior floor area** of each commercial unit is 170 square metres;
- (F) if each commercial unit has its own separate entrance; and
- (G) if the second floor contains a maximum of 2 **dwelling units** for each 170 square metres of **interior floor area** on the ground floor that is used for commercial purposes;

the number of **parking spaces** required is equal to one **parking space** for every 2.7 metres of **front lot line**, excluding the part of the **front lot line** within a right-of-way or a mutual drive.

40.10.90 Loading

40.10.90.1 General

(1) Loading Space Options Mixed Use Buildings

If a **building** contains non-residential uses and a minimum of 30 **dwelling units**, the requirement for a Type 'A' **loading space** or a Type 'B' **loading space** is satisfied by the provision of a Type 'G' **Loading space** instead.

(2) Loading Space Options Mixed Use Buildings

If a **building** contains non-residential uses and a minimum of 400 **dwelling units**, a Type 'C' **loading space** required for the **dwelling units** is satisfied if a Type 'A', Type 'B' or Type 'C', **loading space** provided for the non-residential uses in the same **building**.

40.10.90.40 Access to Loading Space

(1) Access to Loading Space - Restrictions

In a CR Zone:

- (A) if a **lot** abuts a **lane**, access to a **loading space** must be from the **lane**; and

(B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a major **street**, access to a **loading space** must be from the **street** which is not a major **street**.

(2) Loading Restrictions Adjacent to a Lot in a Residential Zone

If a **lot** in a CR zone abuts a **lot** in a Residential zone category, the following requirements apply:

(A) access to the **loading space** may not be through any part of a **lot** in a Residential zone category; and

(B) any part of a **lot line** abutting a **lot** in a Residential zone category must be fenced.

40.10.90.200 Exemptions

(1) Loading Space Exemption- SS2 Area

If a **lot** in a CR zone is subject to Development Standard Set 2 (SS2), the **loading space** requirement for a non-residential use is not to apply if the non-residential use is on a **lot** with a **lot area** of less than 1,000 square metres.

40.10.100 Access to Lot

40.10.100.10 Location

(1) Vehicle Access- Restrictions

In a CR zone only one **vehicle** access is permitted from a **street** to a **lot** if:

(A) in the case of a **lot** which abuts a **lane**, **vehicle** access is from the **lane**; or;

(B) in the case of a **corner lot** not abutting a **lane** and which has at least one **lot line** abutting a **street** which is not a major **street**, access is from the **street** which is not a major **street**.

This regulation does not apply to the following uses:

(A) Public Uses; or

(B) **Vehicle** Fuel Stations

(5) Parking Areas Adjacent to a Lot in a Residential Zone

If a **lot** in a CR zone abuts a **lot** in a Residential zone category, access to a **parking space** may not be through any part of a **lot** in a Residential zone category.

40.10.150 Waste

40.10.150.1 General

(1) Waste and Recyclable Materials Storage

All waste and **recyclable material** must be stored in a wholly enclosed **building** as follows:

(A) the **building** may not be located in a **side yard** that abuts a **street** or in a **front yard**; and

(B) the **building** must be a minimum of:

- (i) 7.5 metres from a **lot** in a Residential zone category, or Open Space zone category; and
- (ii) 1.0 metres from all other side or lines or **rear lot lines**.

Chapter 50 Commercial Residential Employment

50.5 Regulations applying to the Commercial Residential Employment Zone Category

50.5.1 General

50.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations contained in Section 50.5 apply to all lands, uses, **buildings** and **structures** in the Commercial Residential Employment zone category.

(2) Interpretation of the Commercial Residential Employment Zone String

The zone symbol on the Zoning By-law Map for Commercial Residential Employment zones consists of the letters CRE.

50.5.1.20 Restrictions

(1) Use Restrictions on Commercial Residential Employment Lots without Street Frontage

If a **lot** in a Commercial Residential Employment zone category does not front on a **street** and has its only access from a **lane** or private right-of-way that abuts a **lot** in a Residential zone category, the **lot** must be used for no other purpose than permitted parking.

50.5.75 Energy Regulations

50.5.75.1 General

(1) Renewable energy or cogeneration energy device - Location Restriction

In a Commercial Residential Employment zone category a **renewable energy** or **cogeneration energy** device may not be located in a **front yard** or **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height regulations

In a Commercial Residential Employment zone category, if a photovoltaic **solar energy** device or a thermal **solar energy** device is:

(A) located on a principal **building**;

(i) it must comply with all the minimum set back requirements for a principal **building**; and

(ii) it must have no part of the device more than 2.0 metres higher than the maximum height permitted for a principal **building** excluding any other permitted encroachments into the height limit; and

(B) located on a principal **building**, the device must comply with all zoning by-law regulations applicable to an **ancillary building** or **structure**.

(3) Wind Energy Device - Setbacks

In a Commercial Residential Employment zone category all parts of a **wind energy** device must comply with the minimum setback requirements for a principal **building** on the **lot** where the device is located.

(4) Wind Energy Device - Height

In a Commercial Residential Employment zone category no part of a **wind energy** device is to exceed the maximum height permitted for a principal **building** by more than:

- (A) 3.0 metres if on a **lot** that abuts a **lot** in a Residential zone category;
- (B) 5.0 metres if the **building** height exceeds 25 metres; or
- (C) the maximum height permitted for a principal **building** or **structure** in all other cases.

(5) Geo-energy Requirements

In a Commercial Residential Employment zone category any above-ground part of a geo-energy device must comply with all the requirements of an **ancillary building** or **structure** on a **lot** in the zone on which the device is located.

(6) Cogeneration device

In a Commercial Residential Employment zone category a **cogeneration energy** device must be located inside a permitted principal **building** on the **lot**.

50.10 Commercial Residential Employment Zone (CRE)

50.10.1 General

50.10.1.1 Purpose of the Zone

(1) Purpose of the CRE Zone

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

50.10.20 Permitted Uses

50.10.20.1 General

(1) Minimum Separation Distances for Uses Involving Chemicals

In a CRE zone a use listed under Clauses 50.10.20.10, 50.10.20.20 or 50.10.20.30 which uses or stores substances listed in Clause 150.200.20 must comply with the applicable requirements in Section 150.200.

50.10.20.10 Principal Use

(1) Principal Use – CRE Zone

In a CRE zone, the following 'c' uses are permitted:

Respite Care Facility*

Software Development and Processing*

Office

Art Gallery*

Club*

Museum*
Hospital*
Performing Arts Studio*

Community Centre*
Library
Education Use*
Religious Education Use*
Post Secondary School*
Veterinary Hospital*
Courts of Law

Passenger Terminal*

In a CRE zone, the following 'r' uses are permitted:

Park*

Dwelling Unit*

Retirement Home*
Religious Residence*
Student Residence*
Residential Care Home*

Tourist Home*

In a CRE zone, the following 'e' uses are permitted:

Artist Studio*
Production Studio*
Warehouse*
Self-storage Warehouse*
Cold Storage
Food **Warehouse**
Bindery
Custom Workshop*
Carpenter's Shop

Industrial Sales and Service Use*

Dry Cleaning or Laundry Plant

Bakeries and Tortilla Manufacturing**

Other Food Manufacturing**

Beverage Manufacturing**

Printing and Related Product Manufacturing**

Cutlery and Hand Tool Manufacturing**

Hardware Manufacturing**

Spring and Wire Product Manufacturing**

Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing**

Computer and Peripheral Equipment Manufacturing**

Communications Equipment Manufacturing**

Audio and Video Equipment Manufacturing**

Semiconductor and Other Electronic Component Manufacturing**

Navigational, Measuring, Medical and Control Instruments Manufacturing**

Manufacturing and Reproducing Magnetic and Optical Media**

Electric Lighting Equipment Manufacturing**

Household Appliance Manufacturing**

Household and Institutional Furniture and Kitchen Cabinet Manufacturing**

Office Furniture (including Fixtures) Manufacturing**

Other Furniture-Related Product Manufacturing**

Medical Equipment and Supplies Manufacturing**

Other Miscellaneous Manufacturing**

*This is a defined term in Chapter 800 of this By-law.

** This is a North American Industry Classification term in Appendix 'A' of this By-law.

50.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – CRE Zone

In a CRE zone, the following 'c' uses are permitted if they comply with the specific conditions set out for each use in Clause 50.10.20.100:

Recreation Use* (46)

Amusement Arcade* (1,35)
Eating Establishment* (2,3,24,36)
Take-out Eating Establishment* (2,3,24,37)
Cabaret* (2)
Nightclub* (2,4,38)
Financial Institution* (3)
Personal Service Shop* (3,24)
Pet Services* (3)
Entertainment Place of Assembly* (46)
Sports Place of Assembly* (46)
Funeral Home* (5,39)
Hotel* (6,47)
Retail Service* (3)
Retail Store* (3,24)

Place of Worship* (7,40)
Crisis Care Shelter* (43)
Day Nursery* (30)
Private School* (31)
Public School* (31)
Place of Assembly* (32)

Vehicle Dealership* (26)
Vehicle Fuel Station* (27)
Vehicle Service Shop* (28)
Vehicle Washing Establishment* (29)

Public Utility* (8)
Public Works Yard* (9)

Animal Shelter* (10)

Laboratory* (11)

In a CRE zone, the following 'r' uses are permitted if they comply with the specific conditions set out for each use in Clause 50.10.20.100:

Nursing Home* (41)

Seniors Community House* (42)

Group Home* (33)

Municipal Shelter* (34)

In a CRE zone, the following 'e' uses are permitted if they comply with the specific conditions set out for each use in Clause 50.10.20.100:

Service Shop* (3)

Wholesaling Use* (3)

Contractor's Establishment (13)

Fruit and Vegetable Preserving and Speciality Food Manufacturing** (17)

Dairy Product Manufacturing** (17)

Cut and Sew Clothing Manufacturing** (15)

Clothing Accessories and Other Clothing Manufacturing** (15)

Veneer, Plywood and Engineered Wood Product Manufacturing** (18)

Other Wood Product Manufacturing** (18)

Pharmaceutical and Medicine Manufacturing** (20,21)

Plastic Product Manufacturing** (20,22)

Clay Product and Refractory Manufacturing** (20,23)

Glass and Glass Product Manufacturing** (19)

*This is a defined term in Chapter 800 of this By-law.

** This is a North American Industry Classification term in Appendix 'A' of this By-law.

(#) The number after the listed use is the condition number reference in Clause 50.10.20.100

50.10.20.30 Ancillary Use

(1) Ancillary Use – CRE Zone

In addition to the uses permitted in Clause 5.10.20.30, in a CRE zone, the following are permitted as **ancillary** uses if they comply with the applicable regulations set out for the particular use in Clause 50.10.20.100 and in Chapter 150 Specific Use Regulations:

Secondary Suite* (44)

Private-Home Daycare* (45)

Showroom*

Outdoor Sales or Display*

Outdoor Patio* (25)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 50.10.20.100

50.10.20.100 Conditions

(1) Amusement Arcade Condition

In a CRE zone, an **amusement arcade** may not be located:

(A) in a **building** that also contains a **hotel** with less than 100 guest rooms.

(B) on a **lot** if any part of the **lot** is less than :

(i) 150 metres from any other **lot** containing an **amusement arcade**; and

(ii) 300 metres from any **lot** containing a **public school** or **private school**.

(2) Entertainment Establishment or Eating Establishment Near or Abutting a Lot in a Residential Zone Category- Size Restriction Condition

In a CRE zone, if a **lot** is within 6.1 metres of a **lot** in a Residential zone category, the total **interior floor area** of all entertainment establishments, **eating establishments** and **take-out eating establishments** on the **lot** is not to exceed 400 square metres.

(3) Commercial Use Size Condition

In a CRE zone, the combined total **interior floor area** of all **retail stores**, **retail services**, **eating establishments**, **take-out eating establishments**, **financial institutions**, **personal service shops**, or **service shops** on a **lot** may not be more than 1,800 square metres.

This regulation does not apply to a **building** in a CRE zone which existed on April 30, 1996. A **building** constructed after April 30, 1996 is also exempt from the above provision if:

(A) the maximum **building setback** from any **lot line** abutting a **street** is 3.0 metres;

(B) the principal **building** entrance for each commercial use stated in the above provision is located in the exterior wall of the **building** and is setback a maximum of 3.0 metres from the **front lot line** abutting a major **street**;

(C) the principal public entrance is directly accessible from and within 0.2 metres of the level of the public sidewalk directly opposite such entrance; and

(D) the minimum **building** width is 90% of the total length of the **front lot line**, excluding any vehicular access required by this By-law.

(4) Nightclub Condition

In a CRE zone, a **nightclub** may be permitted on a **lot** provided:

(A) the use is located on the ground floor only;

- (B) the **lot** does not abut a **lot** in a Residential Zone or Residential Apartment Zone category;
 - (C) only one **nightclub** is permitted per **building**;
 - (D) the **front lot line** or **side lot line** of the **lot** does not abut Spadina Avenue; and
 - (E) if the **lot** is located west of Spadina Avenue:
 - (i) the **lot** must have existed on February 14, 2006;
 - (ii) The maximum **interior floor area** of a **nightclub** must not exceed 350 square metres;
 - (iii) The **nightclub** must be on a **lot** that abuts King **Street** West, or Richmond **Street** West, or Adelaide **Street** West; and
 - (iv) the total number of **nightclubs** in the CRE zone west of Spadina Avenue is not more than 14.
- (5) Funeral Home Condition
- In a CRE zone, a **funeral home** is permitted if it is the only use in the **building**.
- (6) Hotel Location in a Building containing Dwelling Units Condition
- In a CRE zone, if a **building** contains both a **dwelling unit** and a **hotel** use, no **hotel** room or suite must be located on the same **storey** as any **dwelling unit**.
- (7) Place of Worship Condition
- In a CRE zone, a **place of worship** is permitted if the **lot** has frontage on a **street** as shown on the Major **Streets** Overlay Map.
- (8) Public Utility Condition
- In a CRE zone, the following **public utilities** providing indirect services to a **lot** are permitted:
- (A) The **distribution** of gas, steam, electricity, or other forms of energy;
 - (B) the transmission of impulses, signals, or messages; and
 - (C) The storage or treatment of water.
- (9) Public Works Yard Condition
- In a CRE zone, a **public works yard** is permitted if it is located within an enclosed **building** and there is no **open storage**.
- (10) Animal Shelter Condition
- In a CRE zone, an **animal shelter** is permitted provided it is the only use in the **building**.
- (11) Laboratory Condition
- In a CRE zone, a **laboratory** is permitted if it is not located in a **building** containing a **dwelling unit**.
- (13) Contractor's Establishment Condition
- In a CRE zone, a contractor's establishment is permitted if:
- (A) heavy equipment and machinery such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment, and **building** and construction material is not stored on the **lot**; and
 - (B) bulk storage of loose materials such as sand, gravel or concrete is not permitted.

- (15) Cut and Sew Clothing Manufacturing & Clothing Accessories and Other Clothing Manufacturing Condition
- In a CRE zone, cut and sew manufacturing and clothing accessories and other clothing manufacturing is permitted if it does not involve the manufacturing of leather products or chemical dyeing of cloth.
- (17) Fruit and Vegetable Preserving and Speciality Food Manufacturing and Dairy Product Manufacturing Condition
- In a CRE zone, fruit and vegetable preserving and speciality food manufacturing and dairy product manufacturing are permitted uses if they involve batch processing only.
- (18) Veneer, Plywood and Engineered Wood Product Manufacturing and Other Wood Product Manufacturing Condition
- In a CRE zone, veneer, plywood and engineered wood product manufacturing and other wood product manufacturing is a permitted use if the use is not a:
- (A) saw mill;
 - (B) planing mill; or
 - (C) wood distillation plant.
- (19) Glass and Glass Product Manufacturing Condition
- In a CRE zone, glass and glass product manufacturing is a permitted use if the use only involves the manufacture of glass products from purchased glass.
- (20) Not Located in a Building Containing a Dwelling Unit Condition
- In a CRE zone, the manufacturing of pharmaceuticals, medicine, plastic, or clay is permitted if the use is not located in a **building** containing a **dwelling unit**.
- (21) Pharmaceutical and Medicine Manufacturing Condition
- In a CRE zone, pharmaceutical and medicine manufacturing is permitted if:
- (A) the use only includes assembly or manufacture of previously processed materials; and
 - (B) the use does not include the processing or combining of materials that alter the **structure** of the material.
- (22) Plastic Product Manufacturing Condition
- In a CRE zone, a plastic product **manufacturing use** is permitted if:
- (A) it only includes assembly or manufacture of previously processed materials;
 - (B) it does not include the processing or combining of materials that alter the **structure** of the material; and
 - (C) it does not include the manufacture of celluloid or pyroxylin.
- (23) Clay Product and Refractory Manufacturing Condition
- In a CRE zone, a clay product and refractory **manufacturing use** is permitted if:
- (A) it is only for the manufacturing of pottery, ceramics and plumbing fixtures; and
 - (B) the manufacture of blocks, bricks, beams, pipes, artificial abrasives, clay pit mining and other mining is not permitted.
- (24) Retail Store, Personal Service Shop, Eating Establishment or Take-or Eating Establishment-Amusement Device Condition
- In a CRE zone, a **retail store, personal service shop, eating establishment, or**

take-out eating establishment with an **interior floor area** of at least 130 square metres may have a maximum of 2 **amusement devices**.

(25) Outdoor Patio - Ancillary to Specified Uses, Size Limit and Distance Separation Condition

In a CRE zone, an **outdoor patio** is permitted together with any of these uses:

Amusement Arcade*

Club*

Eating Establishment*

Take-out Eating Establishment*

Cabaret*

Nightclub*

Entertainment Place of Assembly,*

Place of Assembly*

Sports Place of Assembly*

Recreation Use;

the **outdoor patio** is to:

(A) have a maximum area the greater of:

(i) 30 square metres; or

(ii) 30% of the **interior floor area** of the **premises** it is associated with;

(B) not be used to provide entertainment uses such as music and dancing, whether as an **ancillary** use or associated with the principal use;

(C) is at least 10.0 metres from a **lot** in a Residential zone category;

(D) despite (C) above, an **outdoor patio** located on a roof, or on a platform that is higher than 0.6 metres above **average grade**, must be at least 40.0 metres, measured horizontally, from a **lot** in a Residential zone category; and

(E) if a **lot** abuts a **lot** in a Residential zone category, or a **lot** is within 10.0 metres of a **lot** in a Residential zone category, an outdoor patio located in the **rear yard** of the **lot** must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**.

(26) Vehicle Dealership

A **vehicle dealership** must comply with the specific use regulations in Section 150.90.

(27) Vehicle Fuel Station

A **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(28) Vehicle Service Shop

A **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(29) Vehicle Washing Establishment

A **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.

(30) Day Nursery

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

(31) School

A **Public School** and a **Private School** must comply with the specific use regulations in Section 150.48.

(32) Place of Assembly- Banquet Hall

A **place of assembly** that is a banquet hall must comply with the specific use regulations in Section 150.98.

(33) Group Home

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

(34) Municipal Shelter

A **municipal shelter** must comply with the specific use regulations in Section 150.22.

(35) Amusement Arcade

In a CRE zone, an **amusement arcade** is permitted if

- (A) the **building** has none of the uses permitted under the letter 'r'; in Clause 50.10.20.10 or 50.10.20.20;
- (B) the maximum number of **amusement devices** in the **amusement arcade** is 36; and
- (C) the minimum **interior floor area** for used for an **amusement arcade** is equal to 6.0 square metres for each **amusement device**.

(36) Eating Establishment

An **eating establishment** must comply with the specific use regulations in Section 150.100.

(37) Take-out Eating Establishment

A **take-out eating establishment** must comply with the specific use regulations in Section 150.100.

(38) Nightclub

A **nightclub** must comply with the specific use regulations in Section 150.60.

(39) Funeral Home

A **funeral home** must comply with the specific use regulations in Section 150.120.

(40) Place of Worship

A **place of worship** must comply with the specific use regulations in Section 150.50.

(41) Nursing Home

A **nursing home** must comply with the specific use regulations in Section 150.130.

(42) Seniors Community House

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

(43) Crisis Care Shelter

A **crisis care shelter** must comply with the specific use regulations in Section 150.20.

(44) Secondary Suite

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

(45) Private Home Daycare

A private home daycare must comply with the specific use regulations in Section 150.40.

(46) Entertainment Place of Assembly, Sports Place of Assembly and Recreational Use- Amusement Device Condition

In a CRE zone, the use may not to have more than 12 **amusement devices** and these devices may not be located in a hallway, lobby or other pedestrian area if the **amusement devices** are in the same **building** as an **entertainment place of assembly**, a **sports place of assembly** or **recreation use**.

(47) Nightclub, Cabaret, Entertainment Place of Assembly, Sports Place of Assembly, Place of Assembly Use Condition

In a CRE zone, a **nightclub**, **cabaret**, **entertainment place of assembly**, **sports place of assembly**, **place of assembly** are permitted, subject to the following:

- (A) the maximum **building setback** from any **lot line** abutting a **street** is 3.0 metres;
- (B) the principal **building** entrance for each commercial use stated in the above provision is located in the exterior wall of the **building** and is setback a maximum of 3.0 metres from the **front lot line** abutting a major **street**;
- (C) the principal public entrance is directly accessible from and within 0.2 metres of the level of the public sidewalk directly opposite such entrance; and
- (D) the minimum **building** width is 90% of the total length of the **front lot line**, excluding any vehicular access required by this By-law.

50.10.40 Principal Building Requirements

50.10.40.1 General

(1) King-Spadina Area- First Floor Elevation Requirement

If a **building** is located on a **lot** in a CRE zone bounded by Queen **Street** West to the north, Simcoe **Street** to the east, Front **Street** West to the south, and Bathurst **Street** to the west, the elevation of the finished **first floor** of the **building** must be at or within 0.6 metres above the height of the public sidewalk abutting the site, or, if there is no sidewalk, from the elevation of the **street** abutting the site.

(2) Hotel - Orientation To A Street (Part A)

In a CRE zone, a **building** may not be used as a **hotel** if another **building** is located between it and the **street**.

(3) Hotel - Orientation To A Street (Part B)

In a CRE zone, no **building** is to be erected between a **building** used as a **hotel** and the **street**.

50.10.40.10 Height

(1) Determining the Height of Principal Building or Structure in Commercial Residential Employment Zones

Unless otherwise stated in this By-law, the height of a principal **building** or **structure** on a **lot** is measured as the distance between the elevation of the **average grade** along the **front lot line**, or in the case of a **corner lot**, the **average grade** along all **lot lines** that abut a **street** and the elevation of the highest point on the **building**.

(2) Determining the Height of Principal Structures in Commercial Residential Employment Zones

Unless otherwise stated in this By-law, the height of a principal **structure**, other than a principal **building**, is the distance from the elevation of the **average grade** around the perimeter of the **structure** to the elevation of the highest point on the **structure**.

(30) Heritage Building Volume Permission Beyond Height Limit

In a CRE zone, a **lot** comprising a listed or designated **heritage site** may be permitted to exceed the maximum height limit, if:

- (A) the **lot** is subject to an agreement pursuant to section 37 of the Planning Act, authorizing the increase in height in exchange for the conservation of all or part of a heritage **building** located on the **lot**;
- (B) the additional height is not greater than 20% of the maximum height limit identified on the Height Overlay Map;
- (C) the part of the **building** exceeding the maximum height limit identified on the Height Overlay Map, must have a maximum total volume not exceeding the sum of the values calculated in (i), (ii), (iii), and (iv):
 - (i) if the façade of the heritage **building** facing a **street** is conserved, the **building** volume above the height limit is 6 times the area (length times height) of the portion of the façade that is conserved;
 - (ii) if there is no construction above the heritage **building**, the **building** volume above the height limit is equal to 1.5 times the volume of that part of the heritage **building** being retained beyond a depth of 3.0 metres from the façade of the heritage **building** facing a **street**;
 - (iii) if there is construction above a portion of the heritage **building** retained, the **building** volume above the height limit is equal to one times the volume of that part of the heritage **building** being retained beyond a depth of 3.0 metres from the façade of the heritage **building** facing a **street**;
 - (iv) if there is an above grade separation between the heritage **building** and the adjacent **buildings** or **structures** on the same **lot**, the **building** volume above the height limit is equal to the volume of such space calculated as follows:
 - (a) the height of the conserved heritage **building**;
 - (b) by the distance between the conserved heritage **building** and the adjacent **building** or **structure** measured at right angles from the heritage **building**;
 - and

- (c) by the length of the portion of the conserved heritage **building** if a line projected at a right angle from the heritage **building** face intercepts the adjacent **building** or **structure** on the same **lot**.
- (D) Any permitted **building** volume exceeding the maximum height limit identified on the Height Overlay Map:
 - (i) must comply with the **angular plane** requirements as set out in Clause 50.10.40.200 (7); and
 - (ii) if there are no **angular plane** requirements as set out in Clause 50.10.40.200 (7), may not be closer to a **lot line** than a distance equal to the existing setback of all portions of the **main walls** of the highest **storey** facing the same **lot line** and located below the maximum height limit, plus 3.0 metres, except if the wall forms a party wall with another **building** on another **lot**.
- (E) For the purposes of determining the measurements of the conserved heritage **building** as set out in Clauses (C) (ii), (iii), and (iv), the dimensions described are measured between the exterior faces of the exterior walls and between the interior surface of the ceiling of the uppermost **storey** and the surface of the **first floor** of the conserved heritage **building**.
- (F) The **building** elements described in Clauses 5.10.40.10 (3), 5.10.40.10 (4), 5.10.40.10 (5), and 5.10.40.10 (6) are measured from the additional height determined in the above Clauses as if it was the maximum height limit identified on the Height Overlay Map.

50.10.40.30 Building Depth

(1) Maximum Building Depth

In a CRE zone, where a **lot** abuts a **street**, no portion of a **building** will be located further than 50.0 metres from a **lot line** that abuts a **street**.

50.10.40.50 Amenity Space

(1) Amenity Space Requirement for Buildings with 35 or more Dwelling Units

In a CRE zone, if a **building** has 35 or more **dwelling units**, it is to provide **amenity space** at a minimum rate of 4.0 square metres for each **dwelling unit**, of which:

- (A) a minimum of 2.0 metres for each **dwelling unit** is indoor **amenity space**; and
- (B) a minimum of 40.0 square metres is outdoor **amenity space** on the ground and in a location adjoining or directly accessible to the indoor **amenity space**.

50.10.40.60 Permitted Encroachments

(1) Permitted Encroachments- Platforms

In a CRE zone a platform with no **main walls**, such as a deck, porch, balcony or similar **structure**, attached to or less than 0.3 metres from a principal **building**, may encroach into a required setback for the principal **building** as follows:

- (A) a platform with a finished floor not higher than the finished **first floor** of the principal **building** may encroach into the required setback 2.5 metres or 50% of the required setback if it is not closer to a **lot line** than 0.3 metres; and
 - (B) a platform with a finished floor that is higher than the finished **first floor** of the principal **building** may encroach into the required setback 2.5 metres.
- (2) Permitted Encroachments- Canopies and Awnings
- Despite Clause 5.10.40.60 (1), in a CRE zone a canopy, awning or similar **structure**, with or without structural support, or a roof over a platform meeting the requirements of Clause 5.10.40.60 (1), may encroach into a required setback for the principal **building** as follows:
- (A) when above a platform meeting the requirements of Clause 5.10.40.60 (1), the roof, canopy, awning or similar **structure** may encroach into the respective setback to the same extent as the platform it is covering; and
 - (B) when not covering such a platform, the canopy, awning or similar **structure** may encroach into a required setback,
 - (i) in a front or **rear yard**, the lesser of 2.5 metres or 50% of the applicable required setback, if it is not closer to a **side lot line** than the required side setback, or
 - (ii) in a **side yard**, a maximum of 1.5 metres, if it is not closer to the **side lot line** than 0.3 metres.
- (3) Permitted Encroachments- Exterior Stairs, Access Ramp and Elevating Device
- (A) In a CRE zone exterior stairs providing access to a principal **building** or **structure** may encroach into a required setback, if the stairs:
 - (i) are no longer than 1.5 horizontal units for each 1.0 vertical unit above finished grade at the point where the stairs meet the **building** or **structure**;
 - (ii) are no wider than 2.0 metres; and
 - (iii) are no closer to the **lot line** than 0.3 metres.
 - (B) In a CRE zone an uncovered ramp providing access to a principal **building** or **structure** may encroach into a required setback, if that the ramp:
 - (i) is no longer than 12 horizontal units for each 1.0 vertical unit above finished grade at the point where the ramp meets the **building** or **structure**;
 - (ii) is no wider than 1.5 metres for each sloped ramp segment; and
 - (iii) is no closer to the **lot line** than 0.3 metres.
 - (C) In a CRE zone an elevating device providing access to a principal **building** or **structure** may encroach into a required setback, if that the elevating device:
 - (i) elevates no higher than the **first floor** of the **building**;
 - (ii) has a maximum area of 3.0 square metres; and
 - (iii) is no closer to the **lot line** than 0.3 metres.
- (4) Permitted Encroachments- Exterior Main Wall Surface
- In a CRE zone cladding added to the original exterior surface of the **main wall** of a principal **building**, may encroach into a required setback a maximum of 0.15 metres, if the **building** is at least 5 years old.
- (5) Permitted Encroachments- Architectural Features

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

(6) Permitted Encroachments- Window Projections

In a CRE zone a bay window, box window, or other window projection from a **main wall** of a principal **building**, which increases floor area or enclosed space but does not touch the ground, may encroach:

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

(7) Permitted Encroachments- Equipment

In a CRE zone on a principal **building**, wall mounted equipment may encroach into a required setback as follows, if they are no closer to the **lot line** than 0.3 metres:

- (A) an air conditioner may encroach into a required rear or **side yard setback** a maximum of 0.9 metres, if it is not located above the **first floor**;
- (B) a satellite dish may encroach into a required setback a maximum of 0.9 metres;
- (C) an antennae or pole used to hold an antennae may encroach into a required rear or side setback a maximum of 0.9 metres; and
- (D) a vent or pipe may encroach into a required rear or side setback a maximum of 0.6 metres.

(8) Permitted Encroachments- Utilities

In a CRE zone service connections to **public utilities** at any **lot line** may encroach into a required setback.

(9) Permitted Encroachments for Particular Setbacks

The encroachments permitted in Clauses 50.10.40.60 (1), 50.10.40.60 (2), 50.10.40.60 (5), and 50.10.40.60 (6) are only permitted to encroach into the following setbacks:

- (A) Side and rear setbacks set out in Clause 50.10.40.70 (12);
- (B) Setback from a **lot** in a Residential zone category set out in Clause 50.10.40.70 (14); and
- (C) Distance between external walls of **buildings** as set out in Clause 50.10.40.80 (10).

50.10.40.70 Setbacks

(12) Side and Rear Setbacks

In a CRE zone, the minimum yard setback from a side or **rear lot line** must be 7.5 metres for any part of a principal **building** or **structure**, excluding any part of the **building** or **structure** that is less than 25.0 metres from a **lot line** abutting a **street** or **park**.

(14) Setback from a Lot in a Residential Zone

In a CRE zone, a principal **building** or **structure**, any part of which has a height greater than 4.0 metres, must be setback at least 3.0 metres from any **lot line** that abuts a **lot** that is entirely within a Residential zone category.

(16) Setback from a Lane

In a CRE zone, if a **lot** abuts a **lane**, the minimum required **building** set back from the **side lot line** or **rear lot line** that abuts the **lane** is 1.5 metres.

(30) Heritage building - Setback of new construction above a heritage building

In a CRE zone, the portion of a **building** constructed above a heritage **building** may not be closer to a **lot line** than a distance equal to the existing setback of all portions of the **main walls** of the heritage **building**, plus 3.0 metres.

(40) Setback for Upper Building Level Facing A Street

In a CRE zone, the minimum setback from the **main wall** of a **building** or **structure** that faces a **lot line** that abuts a **street** is:

- (A) 3.0 metres for the portion of the **building** or **structure** which exceeds a height of 20.0 metres; or
- (B) 3.0 metres for the portion of the **building** or **structure** which exceeds a height of 16.0 metres in the case of a **lot** that fronts King **Street** East.

50.10.40.80 Separation

(10) Distance Between External Walls of Buildings

In a CRE zone, if a **building** has walls facing each other or facing the walls of another **building** on the same **lot** and a line projected at a right angle from one of these walls intercepts the other wall, the minimum above ground distance between them is 11.0 metres.

(20) Distance Between Windows of Buildings in King-Spadina

On a **lot** located in a CRE zone bounded by Queen **Street** West to the north, Simcoe **Street** to the east, Front **Street** West to the south, and Bathurst **Street** to the west, if a **building** has windows facing each other, and a line projected at a right angle from one of these windows intercepts the other window, the minimum above ground distance between them is 15.0 metres.

(30) Distance Between Windows of Buildings in King-Spadina

On a **lot** located in a CRE zone bounded by Queen **Street** West to the north, Simcoe **Street** to the east, Front **Street** West to the south, and Bathurst **Street** to the west, if a **building** has windows, the minimum above ground distance between them and another wall or a **lot line** that does not abut a **street** or **park** shall be 7.5 metres.

50.10.40.200 Exemptions

(1) Height Exemption - Buildings lawfully existing

In a CRE zone, if a lawfully erected **building** existed on the date of the passing of this By-law had a height greater than that permitted by the maximum height limit identified on the Height Overlay Map, the **building** may be used for any purpose permitted in the CRE zone in which the **lot** is located, if the height is not more than that which

lawfully existed on the **lot** on the date of the passing of this By-law.

(3) Side and Rear Yard Setback Exemptions- Buildings lawfully existing

In a CRE zone, if a lawfully erected **building** on the date of the passing of this By-law is closer to a side or **rear lot line** than what is required by Clause 50.10.40.70 (12), the **building** may be used for any purpose permitted in the CRE zone in which the **lot** is located, if the existing setbacks are not further reduced.

(4) Setback for Upper Building Level Facing a Street Exemption

In a CRE zone, the minimum setback required by Clause 50.10.40.70 (40) does not apply, if:

(A) a **lot** must comply with Clause 50.10.40.200 (7);

(B) a setback has been provided in accordance with Clause 50.10.40.70 (30); or

(C) the **building** existed on April 30, 1996.

(5) Distance Between External Walls of Buildings Exemption

In a CRE zone, if a **building** existed on April 30, 1996 and had walls that face each other, or which face the walls of another **building** on the same **lot**, and they are closer than what is required by Clause 50.10.40.80 (10), the **building** may be used for any purpose permitted in the CRE zone in which the **lot** is located, if:

(A) the existing separation distance is not further reduced; and

(B) in the case of two **buildings** on the same **lot**, both **buildings** were lawfully erected on April 30, 1996.

(7) Building Setback- Required Angular Planes for Certain Streets

In a CRE zone, a principal **building** or **structure** on a **lot** abutting a **street** listed in the chart below is not to:

(A) exceed the corresponding height at the **lot line** as set out in the chart; and

(B) penetrate the corresponding **angular plane** as set out in the chart, measured horizontally over the **lot** at the height determined in (A);

| Street to | Segment of street which angular plane applies | Height (metres) | Angular Plane (degrees) |
|------------------|--|------------------------|--------------------------------|
| King St.W. | South side; between Spadina Ave & Simcoe St. | 16 | 44 |
| Jarvis St. | East side | 16 | 44 |
| Parliament St. | East and west sides | 16 | 44 |

| | | | |
|--------------|--|----|----|
| King St.E. | South side | 16 | 44 |
| Front St.E. | South side | 20 | 44 |
| King St.W. | South side; between Bathurst St. & Spadina Ave. | 20 | 44 |
| Wellington | South side; between St.W. Bathurst St. & Spadina Ave. | 18 | 30 |
| Bathurst St. | East side | 22 | 44 |
| Spadina Ave. | East and west sides | 29 | 44 |

(8) Height Exemption- Mechanical Elements in King-Spadina

In a CRE zone, if a **building** is located in the King-Spadina Area, such **building** may have a height of 5.0 metres above the maximum height limit identified on the Height Overlay Map, if:

- (A) all stair towers, elevator shafts, and mechanical equipment are enclosed; and
- (B) the additional 5.0 metre height permitted by this provision is within the applicable **angular plane** for the **lot** in the CRE zone.

(9) Setback of New Construction above Heritage Building Exemption

In a CRE zone, the setback required by Clause 50.10.40.70 (30) does not apply to the portions of a **building** that are subject to the setback required by Clause 50.10.40.200 (7)

50.10.60 Ancillary Buildings and Structures

50.10.60.1 General

(1) Living Accommodation in Ancillary Buildings

In a CRE zone, **ancillary buildings** may not be used for living accommodation.

50.10.80 Parking

50.10.80.1 General

(1) Outdoor Parking Restriction

In a CRE zone, an **ancillary** outdoor parking area containing more than 3 **parking spaces** must be fenced if it is located in a yard that abuts a **street, lane** or a **lot** in a Residential zone category, excluding the portions used for access.

(2) CRE Zone Above Grade Parking Building or Structure Restriction

In a CRE zone, the parking or storing of **vehicles** in an above-grade **building** or

structure is permitted, if:

- (A) it is **ancillary** to a principal use in the **building** or **structure**; and
- (B) any portion of the **building** or **structure** facing a **street** and within 4.0 metres above the elevation of that **street lot line**, is to contain permitted uses other than the parking or storing of **vehicles**, to a minimum depth of 10.0 metres from the **main wall**, along the entire length of the **main wall**, except for **vehicle** access.

(3) CRE Zone Parking Space Allocation Mixed Use Building

In a CRE zone, if a **building** contains both residential and non-residential uses and has less than 25 **dwelling units**, a minimum of one-third (1/3) of the total **parking spaces** required for all the uses in the **building** must be available to all occupants of or visitors to the **building**, without in any way assigning any of those **parking spaces** for exclusive use.

(4) Bachelor Unit Size for Parking Space Calculation

For the purpose of calculating **parking space** requirements, bachelor **dwelling unit** must not have an **interior floor area** greater than 45 square metres.

50.10.80.10 Location

(1) CRE Zone Parking Restriction

In a CRE zone, no **vehicle** is to be parked or stored in the **front yard**, at or above the natural level of the ground.

50.10.80.40 Access to Parking Space

(1) CRE Zone Drive Aisle Width

In a CRE zone, within a parking area the following **drive aisle** width is to apply:

- (A) If the centreline of a **parking space** is at an interior angle of 70 to 90 degrees to the centreline of the **drive aisle** providing access, the minimum width for that one or two **lane drive aisle** is 6.0 metres;
- (B) If the centreline of a **parking space** is at an interior angle from 50 to less than 70 degrees to the centreline of the **drive aisle** providing access, the minimum width for that **drive aisle** is 5.5 metres for each **lane**;
- (C) If the centreline of a **parking space** is at an interior angle of less than 50 degrees from the centreline of the **drive aisle** providing access, the minimum width for that **drive aisle** is 4.0 metres for each **lane**.

50.10.80.200 Exemptions

(5) Parking Requirement

Needs Checking

In a CRE zone, if a **lot** is also within the Downtown Parking Area the parking exemptions in (provision 421) is not to apply.

(6) CRE Zone Exemption for Existing Parking Spaces

In a CRE zone, the **parking space** requirement for a **building** is the lesser of the **parking spaces**:

- (A) lawfully existing on the **lot** on January 1, 1997;
- (B) required by a **building** permit issued before January 1, 1997; or

(C) required by this By-law.

50.10.90 Loading

50.10.90.40 Access to Loading Space

(1) Access to Loading Space - Restrictions

In a CRE Zone:

- (A) if a **lot** abuts a **lane**, access to a **loading space** must be from the **lane**; or;
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a **street** shown on the Major **Streets** Overlay Map, then access to a **loading space** must be from the **street** which is not a **street** shown on the Major **Streets** Overlay Map.

(2) Loading Restrictions Adjacent to a Lot in a Residential Zone

If a **lot** in a CRE zone abuts a **lot** in a Residential zone category, the following requirements apply:

- (A) access to the **loading space** may not be through any part of a **lot** in a Residential zone category; and
- (B) any part of a **lot line** abutting a **lot** in a Residential zone category must be fenced.

50.10.90.200 Exemptions

(75) Exemption for existing Loading Spaces

In a CRE zone, the **loading space** requirement for a **building** is the lesser of the **loading spaces**:

- (A) lawfully existing on the **lot** on January 1, 1997;
- (B) required by a **building** permit issued before January 1, 1997; or
- (C) required by this By-law.

50.10.100 Access to Lot

50.10.100.10 Location

(2) Non-residential Parking Areas Adjacent to a Lot in a Residential Zone

If a **lot** in a CRE zone abuts a **lot** in a Residential zone category :

- (A) access to a **parking space** may not be through any part of a **lot** in a Residential zone category;
- (B) any part of a **lot line** abutting a **lot** in a Residential zone category must be fenced; and
- (C) a **parking space** must be at least 1.5 metres to a **lot line** that abuts a **lot** in a Residential zone category.

(10) CRE Zone Driveway Access to Apartment Buildings Not Required- Exemption

In a CRE zone, an **apartment building** is not required to have an unobstructed **vehicle** access to an entrance of the **building** designed so that **vehicles** can enter and leave the **lot** while driving forward in one continuous movement.

50.10.150 Waste

50.10.150.1 General

(1) Waste and Recyclable Materials Storage

All waste and **recyclable material** must be stored in a wholly enclosed **building** as follows:

- (A) the **building** may not be located in a **side yard** that abuts a **street** or in a **front yard**; and
- (B) the **building** must be a minimum of:
 - (i) 7.5 metres from a **lot** in a residential zone category, or open space zone category; and
 - (ii) 1.0 metres from all other side or lines or **rear lot lines**.

Chapter 60 Employment Industrial

60.5 Regulations applying to the Employment - Industrial Zone Category

60.5.1 General

60.5.1.10 Interpretation

- (1) Application of General Regulations Section

The regulations contained in Section 60.5 apply to all lands, uses, **buildings** and **structures** in the Employment Industrial zone category.

- (2) Interpretation of the Employment Industrial Zone Symbol

The zone symbol on the Zoning By-law Map for employment industrial zones consists of the letters E, EL, EH, EO, and EC indicating the primary land use permitted in the respective zone, which may followed by a numerical value indicating the maximum permitted **floor space index** on a **lot**.

ZONE NAME ZONE SYMBOL

Employment Industrial E

Employment Light Industrial EL

Employment Heavy Industrial EH

Employment Industrial - Commercial EC

Employment Industrial - Office EO

- (3) Gross Floor Area Calculations for Manufacturing Uses in Employment Industrial Zones

Despite the definition of **gross floor area** in this By-law, for the purposes of calculating the **floor space index** for a **lot** in an Employment Industrial Zone category, the **gross floor area** of a **building** used for manufacturing, does not include storage rooms or washrooms in the **basement**, an atrium, utility areas used for the purposes of servicing the **building**, or **structures** associated with equipment, such as catwalks or service platforms.

60.5.1.20 Restrictions

- (1) Access to Non-Residential Uses when Adjacent to a Lot in a Residential Zone Category - Restriction on Sole Access from a Lane or Shared Private Right-of-Way

If a **lot** in an Employment Industrial zone category does not front on a **street** and has its only access from a **lane** or private right-of-way that abuts a **lot** in a Residential zone category, the **lot** may only be used for permitted parking.

60.5.20 Permitted Uses

60.5.20.1 General

- (1) Uses to be Wholly Enclosed

Unless otherwise stated in this Bylaw, all uses in an Employment Industrial zone

category are to be within a wholly enclosed **building**.

60.5.20.100 Conditions

(8) Waste Incinerator – Primary Use in Combination with Other Uses

In an Employment Industrial zone category, a **waste incinerator** is a principal use whether or not it is in combination with another use. If a **waste incinerator** is in combination with another use, neither use is to be construed as being accessory or **ancillary** to the other, and all regulations pertaining to each use are to apply.

(9) Recycling as an Ancillary Use - Sorting Activities in an Enclosed Building

Unless otherwise stated in this by-law, on a **lot** in an Employment Industrial zone category the separating or sorting of recyclable materials associated with a principal use is to take place only within a wholly enclosed **building**.

(10) Recycling as an Ancillary Use - Open Storage of Recyclable Materials

In an Employment Industrial zone category recyclable materials may be stored outside if:

- (A) they are stored in a fenced compound in the **rear yard**;
- (B) the recyclable materials are in bales or containers, that are covered and secured; and
- (C) the area used for the storage of recyclable materials is not more than 50% of the) **gross floor area** of all **buildings** on the **lot**.

60.5.30 Lot Requirements

60.5.30.1 General

(1) Employment Industrial Lands Abutting Highways

If a **lot** in an Employment Industrial zone category abuts Highways 400, 401, 404, 409, 427, the Don Valley Parkway, the Gardiner Expressway or the Queen Elizabeth Way, the **lot line** and the yard that abuts any of these highways must comply with all the regulations applicable to a **front lot line** and **front yard** for the zone in which it is located.

60.5.40 Principal Building Requirements

60.5.40.1 General

(1) Access Restrictions if Lot is Separated from Residential Lots by a Lane or a Narrow Street

If the **rear lot line** or **side lot line** of a **lot** in an Employment Industrial zone category is separated from a **lot** in a Residential zone category or Residential Apartment zone category, by a **lane** or **street** that has a right-of-way width of less than 12.0 metres, pedestrian access may not be from that **lane** or **street**, to any entrance to the **building** other than:

- (A) a service entrance, or
- (B) an entrance or exit required by federal or provincial regulations.

60.5.40.10 Height

(1) Determining the Height of Principal Building in Employment Industrial Zones

Unless otherwise stated in this By-law, the height of a principal **building** on a **lot** in an Employment Industrial zone category is measured as the distance between the elevation of the **average grade** along the **front lot line** and the elevation of the highest point on the **building**.

(2) Determining the Height of Principal Structures in Employment Industrial Zones

Unless otherwise stated in this By-law, on a **lot** in an Employment Industrial zone category the height of a principal **structure**, other than a principal **building**, is the distance between the elevation of the **average grade** around the perimeter of the **structure** to the elevation of the highest point on the **structure**.

(3) Height of Structures - Exemptions for Chimney Stacks, Scrubbers and Pollution Abatement Equipment

Despite 5.10.40.10 (4), on a **lot** in an Employment Industrial zone category the following **structures** may exceed the permitted principal **building** height:

- (A) free-standing or roof-top chimney stacks;
- (B) scrubbers; or
- (C) other similar equipment for the purpose of pollution abatement.

60.5.50 Yards

60.5.50.10 Landscaping

(1) Abutting a Lot in a Residential Zone Category - General Requirements

If a **lot** in an Employment Industrial zone category, abuts a **lot** in a Residential zone category or Residential Apartment zone category a fence must be installed along the part of **lot line** that abuts the **lot** in the Residential zone category or Residential Apartment zone category.

(2) Landscaping Requirement if Abutting a Lot in a Residential or Residential Apartment Zone Category

If a **lot** in an Employment Industrial zone category, abuts a **lot** in a Residential zone category or Residential Apartment zone category, a **landscape** strip with a minimum width of 9.0 metres must be maintained adjacent to and running the full length of the part of the **lot line** that abuts the **lot** in the Residential zone category or Residential Apartment zone category.

60.5.50.20 Outdoor Amenity Space

(1) Children's Amenity Space - Outdoor Enclosure

In an Employment Industrial zone category, an outdoor **amenity space** used or intended for used by children, must be enclosed by a fence.

(2) Outdoor Patio or Platform - Use Restriction

In an Employment Industrial zone category an **outdoor patio** or similar platform or deck may not be located in a yard that abuts a **lot** in a Residential zone category or Residential Apartment zone category.

60.5.75 Energy Regulations

60.5.75.1 General

(1) Renewable energy or cogeneration energy device - Location Restriction

In an Employment Industrial zone category a **renewable energy** device or **cogeneration energy** device may not be located in a **front yard** or **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height regulations

In an Employment Industrial zone category, if a photovoltaic **solar energy** device or a thermal **solar energy** device is:

- (A) located on a principal **building**;
 - (i) it must comply with all the minimum set back requirements for a principal **building**; and
 - (ii) it must have no part of the device more than 3.0 metres higher than the maximum height permitted for a principal **building** excluding any other permitted encroachments into the height limit; and
 - (B) not located on a principal **building**, the device must comply with all zoning by-law regulations applicable to an **ancillary building** or **structure**.
- (3) Wind Energy Device - Setbacks
- In an Employment Industrial zone category all parts of **wind energy** device are to comply with the minimum setback requirements for a principal **building** on the **lot** where the device is located.
- (4) Wind Energy Device - Height
- In an Employment Industrial zone category no part of a **wind energy** device is to exceed the maximum height permitted for a principal **building** by more than :
- (A) 3.0 metres if:
 - (i) it is located on a **lot** that abuts a **lot** in a Residential zone category or Residential Apartment zone category; or
 - (ii) the principal **building** is less than 15.0 metres in height; or
 - (B) 20.0 metres in all other cases.
- (5) Geo-energy Device Requirements
- In an Employment Industrial zone category any above-ground part of a geo-energy device must comply with all the requirements of an **ancillary building** or **structure** on a **lot** in the zone in which the device is located.
- (6) Cogeneration Device
- In an Employment Industrial zone category a **cogeneration energy** device must be located inside a permitted principal **building** on the **lot**.

60.5.80 Parking

60.5.80.1 General

(1) Calculation of Parking Rates

Despite the definition of **gross floor area** in this By-law, for the purposes of calculating the number of required **parking spaces** for a use on a **lot** in the employment zone category, the **gross floor area** of a **building** used for manufacturing, does not include storage rooms or washrooms in the **basement**, an atrium, utility areas used for the purposes of servicing the **building**, or **structures** associated with equipment, such as catwalks or service platforms.

60.5.80.10 Location

(1) Parking in Required Front Yard

In an Employment Industrial zone category a required **parking space** is permitted within the **front yard**, if:

- (A) the **parking space** is a minimum of 3.0 metres from the **front lot line** and **side lot lines**; and

(B) the **parking space** is at a right angle to the **driveway** providing access to it from the **street**.

(2) Location of Parking Spaces

In an Employment Industrial zone category a **parking space** may be located:

- (A) in a **front yard** or a **side yard** that abuts a **street**, if there are no more than 5 **parking spaces** for the first 15.0 metres of **main wall** length and thereafter 2 **parking spaces** for each additional 15.0 metres of **main wall**, abutting the yard containing the **parking spaces**;
- (B) in a **side yard** that does not abut a **street**; and
- (C) in a **rear yard**.

60.5.80.20 Setbacks

(3) Setback from Lot in a Residential zone category or Residential Apartment zone category

If a **lot** in an Employment Industrial zone category abuts a **lot** in a Residential zone category or Residential Apartment zone category, a **parking space** and **drive aisle** must be set back at least 9.0 metres from a **lot line** that abuts a **lot** in a Residential zone category or Residential Apartment zone category

60.5.80.40 Access to Parking Space

(1) Drive Aisle Width

Within a parking area of a **lot** in an Employment Industrial zone category the following **drive aisle** widths apply:

- (A) if the centreline of a **parking space** is at an interior angle of 70 to 90 degrees to the centreline of the **drive aisle** providing access, the minimum width for a one or two **lane drive aisle** is 6.0 metres;
- (B) if the centreline of a **parking space** is at an interior angle from 50 to less than 70 degrees to the centreline of the **drive aisle** providing access, the minimum width for a **drive aisle** is 5.5 metres for each **lane**;
- (C) if the centreline of a **parking space** is at an interior angle of less than 50 degrees from the centreline of the **drive aisle** providing access, the minimum width for a **drive aisle** is 4.0 metres for each **lane**.

60.5.80.200 Exemptions

(1) Existing Front Yard Parking Exemption

If on the date of the enactment of this By-law, a **lot** in an Employment Industrial Zone category contains a **building** and the required **parking spaces** for the uses in that **building** were located in the **front yard** in compliance with the applicable former zoning bylaw or were permitted by a section 45 Planning Act minor variance, the **parking spaces** may remain in the **front yard** so long as the **building** remains; any additional **parking space** must comply with all the requirements of this bylaw.

60.5.100 Access to Lot

60.5.100.1 General

(1) Driveway Widths

In an Employment Industrial zone category any portion of the **driveway** providing

access to the **lot** from a **street** and that part of the **driveway** which is located:

(A) 6.0 metres or less from the **lot line**, may have a maximum width of 11.0 metres; and

(B) more than 6.0 metres from the **lot line** may have:

(i) a minimum width of 6.0 metres; and

(ii) a maximum width of 9.0 metres.

60.5.100.10 Location

(2) Driveway Access to a Lot - Landscape Area Exemption

In an Employment Industrial zone category a **driveway** providing direct access from a **street** or **lane** may cross a required **landscaped** area if the centre line of the part of the **driveway** crossing the required **landscaped** area is within 10 degrees of perpendicular to the part of the **lot line** over which access is taken.

(6) Access to Loading Restrictions Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category

If a **lot** in a Employment Industrial zone category abuts a **lot** in a Residential zone category or Residential Apartment zone category, vehicular access to the **loading space** it may not be through any part of a **lot** in a Residential zone category or Residential Apartment zone category.

(8) Access Location if Abutting a Lot in a Residential Zone Category or Residential Apartment Zone Category

If a **lot** in an Employment Industrial zone category abuts a **lot** in a Residential zone category or Residential Apartment zone category, access to the **lot** may not be through any part of a **lot** in a Residential zone category or Residential Apartment zone category

60.10 Employment Light Industrial Zone (EL)

60.10.1 General

60.10.1.1 Purpose of the Zone

(1) Purpose of the EL Zone

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

60.10.20 Permitted Uses

60.10.20.1 General

(1) Uses in EL zone involving certain chemical substances subject to minimum separation distances

In an EL zone, if a use listed under Clauses 60.10.20.10, 60.10.20.20 or 60.10.20.30 uses or stores chemicals listed in Clause 150.200.20, the use must comply with the requirements in Section 150.200.

60.10.20.10 Principal Use

(1) Principal Use – EL Zone

In the EL zone, the following uses are permitted if they comply with the associated maximum **floor space index** value:

Park*

Financial Institution*

Service Shop*

Wholesaling Use*

Performing Arts Studio*

Laboratory*

Artist Studio*

Production Studio*

Warehouse*

Self-storage Warehouse*

Cold Storage

Food **Warehouse**

Bindery

Custom Workshop*

Carpenter's Shop

Industrial Sales and Service Use*

Dry Cleaning or Laundry Plant

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

60.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – EL Zone

In the EL zone, the following uses are permitted if they comply with the specific conditions set out for each use in Clause 60.10.20.100, and the associated maximum **floor space index** value:

Recreation Use* (1)

Software Development and Processing* (2)

Office (3)

Public Utility* (6)

Contractor's Establishment (7)

Bakeries and Tortilla Manufacturing** (8)

Other Food Manufacturing** (8,10)

Beverage Manufacturing** (8,10)

Cut and Sew Clothing Manufacturing** (8)

Clothing Accessories and Other Clothing Manufacturing** (8)

Footwear Manufacturing** (8)

Other Leather and Allied Product Manufacturing** (8)

Converted Paper Product Manufacturing** (8)

Printing and Related Support Activities** (8)

Pharmaceutical and Medicine Manufacturing** (8)

Plastic Product Manufacturing** (8)

Clay Product and Refractory Manufacturing** (8)

Cutlery and Hand Tool Manufacturing** (8)

Architectural and Structural Metals Manufacturing** (8)

Hardware Manufacturing** (8)

Spring and Wire Product Manufacturing** (8)

Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing** (8)

Computer and Peripheral Equipment Manufacturing** (8)

Communications Equipment Manufacturing** (8)

Audio and Video Equipment Manufacturing** (8)

Semiconductor and Other Electronic Component Manufacturing** (8)

Navigational, Measuring, Medical and Control Instruments Manufacturing** (8)

Manufacturing and Reproducing Magnetic and Optical Media** (8)

Electric Lighting Equipment Manufacturing** (8)

Household Appliance Manufacturing** (8)

Household and Institutional Furniture and Kitchen Cabinet Manufacturing** (8)

Office Furniture (including Fixtures) Manufacturing** (8)

Other Furniture-Related Product Manufacturing** (8)

Medical Equipment and Supplies Manufacturing** (8)

Other Miscellaneous Manufacturing** (8)

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

The number after the listed use is the condition number reference in Clause 60.10.20.100

60.10.20.30 Ancillary Use

(1) Ancillary Use – EL Zone

In addition to the uses permitted in Clause 5.10.20.30, in the EL zone, the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 60.10.20.100 and in Chapter 150 Specific Use Regulations:

Eating Establishment* (5,14)

Drive-in Eating Establishment* (5,15)

Take-out Eating Establishment* (5,16)

Retail Store* (5)

Showroom*

Open Storage* (12)

*This is a defined term in Chapter 800 of this By-law.

The number after the listed use is the condition number reference in Clause 60.10.20.100.

60.10.20.100 Conditions

(1) Recreation Use Condition

In an EL zone, a golf driving range is permitted **Recreation Use** if:

(A) the **lot** is a minimum of 70 metres from a **lot** in a Residential zone category; and

(B) there is a fence between the use and any **lot line**.

(2) Software Development and Processing Condition

In an EL zone, the **interior floor area** used for **software development and processing** is the lesser of:

- (A) 5,000 square metres; or
- (B) 1.0 **floor space index**.

(3) Office Condition

In an EL zone, the maximum **interior floor area** on a **lot** used for office is the lesser of:

- (A) 5,000 square metres; or
- (B) an area equal to a **floor space index** of 1.0.

(5) Ancillary Retail Store or Ancillary Eating Establishment Condition

In an EL zone, the total **interior floor area** devoted to **ancillary retail**, **ancillary eating establishment**, or **ancillary take-out eating establishment** may not individually or in combination on a **lot** exceed the lesser of:

- (A) 200 square metres; or
- (B) 10% of the total **interior floor area** of principal uses on the **lot**.

Ancillary retail store, ancillary eating establishment or ancillary take-out eating establishment individually or in combination on a **lot** must be delineated by a floor-to-ceiling partition wall from the principal uses to prevent public access from these **ancillary** uses.

(6) Public Utility Condition

In an EL zone, the following **public utilities** providing indirect services to a **lot** are permitted:

- (A) The **distribution** of gas, steam, electricity, or other forms of energy;
- (B) the transmission of impulses, signals, or messages; and
- (C) The storage or treatment of water.

(7) Contractor's Establishment Condition

In an EL zone, a **contractor's establishment** is permitted on a **lot** if heavy equipment such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment are not stored on the **lot**.

(8) Manufacturing Use- Interior Floor Area Condition

In an EL zone, a **manufacturing use** listed in Clause 60.10.20.20 is permitted if the total **interior floor area** of all **manufacturing uses** on the **lot** is the lesser of:

- (A) 5,000 square metres; or
- (B) an area equal to the maximum permitted **floor space index** for the **lot**.

(10) Other Food Manufacturing and Beverage Manufacturing- Batch Processing Condition

In an EL zone, other food manufacturing and beverage manufacturing involving fruits and vegetables, cereal food products and dairy products is permitted if the production process involves batch processing only.

(12) Ancillary Open Storage Condition

In an EL zone, **ancillary open storage** is permitted if:

- (A) the **lot** does not abut a **lot** in a Residential zone category;
- (B) is not located in the **front yard** of the **lot**;

- (C) is located a minimum of 7.5 metres from any **lot line**;
- (D) it is not more than 10% of the **lot area**;
- (E) it is not more than the maximum permitted height of a **building** on the **lot**; and
- (F) the area used for **open storage** is fenced.

(14) Eating Establishment

An **eating establishment** must comply with the specific use regulations in Section 150.100.

(15) Drive-in Eating Establishment

A **drive-in eating establishment** must comply with the specific use regulations in Section 150.100.

(16) Take-out Eating Establishment

A **take-out eating establishment** must comply with the specific use regulations in Section 150.100.

60.10.30 Lot Requirements

60.10.30.20 Frontage

(1) Minimum Lot Frontage for Lots in a EL zone

In an EL zone, the minimum **lot frontage** is 15.0 metres.

60.10.30.200 Exemptions

(1) Existing Lot Frontage Exemption for Lots in an EL zone

If on the date of enactment of this bylaw, in an Employment Light Industrial Zone (EL), an existing **lot** complied with the applicable former zoning bylaw for **lot frontage**, or has a **lot frontage** that was permitted by a section 45 Planning Act minor variance and that lawfully existing **lot frontage** is less than the **lot frontage** required by this bylaw, then the minimum **lot frontage** for that existing **lot** is its **lot frontage** on the date of enactment of this bylaw.

60.10.40 Principal Building Requirements

60.10.40.10 Height

(1) Maximum Permitted Height - EL Zone

If a **lot** in a EL zone is in an area that:

- (A) has no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 18.5 metres; and
- (B) has a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an EL zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 2.0 metres

60.10.40.70 Setbacks

(1) Minimum Front Setback for Lots in a EL Zone

In an EL zone, the minimum setback of a **building** or **structure** from the **front lot line** is 6.0 metres.

(2) Minimum Side Setback for Lots in a EL Zone

In an EL zone, the minimum **building setback** from a **side lot line**:

(A) that does not abut a **street**, is:

- (i) 3.0 metres if the **lot frontage** is less than 30.0 metres;
- (ii) 4.5 metres if the **lot frontage** is from 30.0 metres to less than 60.0 metres; and
- (iii) 6.0 metres in all other cases; and

(B) that abuts a **street**, is 6.0 metres.

(4) Minimum Rear Setback for Lots in a EL Zone

In an EL zone, the minimum setback of a **building** or **structure** from the **rear lot line** is 7.5 metres.

(5) Minimum Setback for Lots in a EL Zone abutting a Residential Zone

In an EL zone, the minimum setback of a **building** or **structure** from a **lot line** that abuts a **lot** in a Residential zone category is 15.0 metres.

60.10.40.200 Exemptions

(1) Existing Front, Side and Rear Lot Setback Exemptions for Buildings in an EL zone

If on the date of the enactment of this By-law, a lawfully erected **building** in the Employment Light Industrial Zone (EL), complied with the applicable former zoning bylaw for **building setbacks** or has a **building setback** that was permitted by a section 45 Planning Act minor variance, and is now set back from a **front lot line**, **rear lot line** or any **side lot line** less than that required by this By-law, then the minimum **front yard building setback**, **rear yard building setback** or **side yard building setback** for that existing **building** is the greater of:

- (A) the actual **building setback** from the **front lot line**, **rear lot line** or **side lot line** that lawfully existed on the date of the enactment of this By-law; or
- (B) the **building setback** from the **front lot line**, **rear lot line** or **side lot line** required by the Employment Light Industrial Zone; and

Despite (A) and (B), any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(2) Existing Gross Floor Area Exemption in an EL Zone

If on the date of enactment of this bylaw, in an Employment Light Industrial Zone (EL), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **gross floor area**, or has a **gross floor area** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **gross floor area** is greater than the **gross floor area** permitted by this bylaw, then the maximum **gross floor area** for that existing **building** or **structure** is its **gross floor area** on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(3) Existing Height Exemption in an EL Zone

If on the date of enactment of this bylaw in a Employment Light Industrial Zone (EL), a

lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by Clause 60.10.40.10 of this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

60.10.50 Yards

60.10.50.10 Landscaping

- (1) Soft Landscaping - Front Yard Minimum

In an EL zone, a minimum of 50% of the **front yard** must be used for **soft landscaping**.

- (2) Soft Landscaping- Street Lot Line Requirement

In an EL zone, any **lot line** abutting a **street** must have a minimum of 3.0 metre wide strip of **soft landscaping** along the entire length of the **lot line**, excluding lands used for **driveways** and walkways.

60.10.60 Ancillary Buildings and Structures

60.10.60.10 Location

- (1) Location of Ancillary Buildings in an EL Zone

In an EL zone:

- (A) an **ancillary building** or **structure** may not be located in a **front yard**;
- (B) an **ancillary building** or **structure** is subject to the minimum front, side, and **rear yard building setbacks** established for principal **buildings** in an EL zone; and
- (C) an **ancillary building** or **structure** used for the purpose of a gatehouse or other security purpose is not subject to (A) or (B) above.

60.10.60.200 Exemptions

- (1) Existing Ancillary Building Exemption in an EL Zone

If an **ancillary building** or **structure** on a **lot** in an EL zone on the date of the enactment of this By-law was lawfully located in the **front yard**, or in a required **building setback** in an EL zone, the **ancillary building** or **structure** may remain.

60.10.80 Parking

60.10.80.1 General

- (1) Applicable Parking Rate - Ancillary Retail Store, Ancillary Eating Establishment, Ancillary Drive-in Eating Establishment, and Ancillary Take-out Eating Establishment

In an EL zone, the **parking space** requirement for the **ancillary retail store**, **ancillary eating establishment**, **ancillary drive-in eating establishment**, and **ancillary take-out eating establishment** is calculated at the same rate as the principal use to which it is **ancillary**.

60.10.80.200 Exemptions

- (1) Existing Parking Space Deficiency Exemption in an EL Zone

If on the date of the enactment of this By-law a **lot** in an Employment Light Industrial Zone (EL), contains uses in compliance with the applicable former zoning bylaw, and

provided **parking spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance, and the number of those **parking spaces** lawfully existing on the date of the enactment of this By-law is less than the number required by this By-law, then the number of **parking spaces** that existed on the **lot** for that use, on the date of the enactment of this by-law, is the minimum number of **parking spaces** required for that use; if there is:

- (A) an increase in the **interior floor area** for that use, **parking spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **parking spaces** must be provided in accordance with the requirements of this By-law.

60.10.90 Loading

60.10.90.10 Location

- (1) Location of Loading Space in an EL Zone

In an EL zone, a **loading space** may not be located in a **front yard**.

60.10.90.40 Access to Loading Space

- (1) Access to Loading Space on a Lot in an EL Zone

In an EL zone:

- (A) if a **lot** abuts a **lane**, access to a **loading space** must be from the **lane**;
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a **street** identified on the Major **Streets** Overlay Map, access to a **loading space** must be from the **street** which is not a major **street**; and
- (C) if a **lot** is not a **lot** described in (A) or (B), access to a **loading space** may be from the **street** on which the **lot** fronts.

60.10.90.200 Exemptions

- (1) Existing Loading Space Exemption for Buildings in an EL Zone

In an Employment Light Industrial Zone (EL), if a **building** existing on the **lot** on the date of the enactment of this By-law has a **loading space** lawfully located within the **front yard** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance, that **loading space** may remain; any additional **loading space** must comply with the requirements of this by-law.

- (2) Existing Access to Loading Space Exemption for Buildings on Lots in an EL Zone

In an EL zone, if an existing **building** on a **lot** on the date of the enactment of this By-law has a lawful access to a **loading space** that does not comply with section 60.10.90.40 (1), the access may remain.

- (3) Existing Loading Space Deficiency Exemption in an EL Zone

If on the date of the enactment of this By-law a **lot** in an Employment Light Industrial Zone (EL), contains uses in compliance with the applicable former zoning bylaw, and provided **loading spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance and the number of those **loading spaces** lawfully existing on the date of the enactment of this By-law is less than that required by this By-law, then the number of **loading spaces** that existed on the **lot** on the date of the enactment of this By-law is the minimum number of **loading spaces** required for that use; if there is:

- (A) an increase in the **interior floor area** for that use, **loading spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-

law; or

(B) a change of use in that **building, loading spaces** must be provided in accordance with the requirements of this By-law.

60.20 Employment Industrial Zone (E)

60.20.1 General

60.20.1.1 Purpose of the Zone

(1) Purpose of the E Zone

The purpose of the E zone is to provide an area for general manufacturing, industrial and other employment land uses that can be expected to co-exist in relative close proximity to other manufacturing and industrial land uses without major impacts on each other.

60.20.20 Permitted Uses

60.20.20.1 General

(1) Separation Distances for Uses in an E zone with Certain Chemical

In an E zone, if a use listed under Clauses 60.20.20.10, 60.20.20.20 or 60.20.20.30 uses or stores chemicals listed in Clause 150.200.20, the use must comply with the requirements in Section 150.200.

60.20.20.10 Principal Use

(1) Principal Use – E Zone

In the E zone, the following uses are permitted:

Park*

Recreation Use*

Financial Institution*

Kennel*

Pet Services*

Service Shop*

Wholesaling Use*

Performing Arts Studio*

Laboratory*

Public Works Yard*

Animal Shelter*

Artist Studio*

Production Studio*

Warehouse*

Cold Storage

Food **Warehouse**

Bindery

Custom Workshop*

Carpenter's Shop

Industrial Sales and Service Use*

Building Supply Yards

Dry Cleaning or Laundry Plant

Contractor's Establishment

Animal Food Manufacturing**

Grain and Oilseed Milling**

Sugar and Confectionary Product Manufacturing**

Fruit and Vegetable Preserving and Speciality Food Manufacturing**

Dairy Product Manufacturing**

Seafood Product Preparation and Packaging**

Bakeries and Tortilla Manufacturing**

Other Food Manufacturing**

Beverage Manufacturing**

Tobacco Manufacturing**

Fibre, Yarn and Thread Mills**

Fabric Mills**

Textile and Fabric Finishing and Fabric Coating**

Textile Furnishings Mills**

Other Textile Product Mills**

Clothing Knitting Mills**

Cut and Sew Clothing Manufacturing**

Clothing Accessories and Other Clothing Manufacturing**

Footwear Manufacturing**

Other Leather and Allied Product Manufacturing**

Sawmills and Wood Preservation**

Veneer, Plywood and Engineered Wood Product Manufacturing**

Other Wood Product Manufacturing**

Converted Paper Product Manufacturing**

Printing and Related Support Activities**

Pharmaceutical and Medicine Manufacturing**

Plastic Product Manufacturing**

Clay Product and Refractory Manufacturing**

Glass and Glass Product Manufacturing**

Cutlery and Hand Tool Manufacturing**

Architectural and Structural Metals Manufacturing**

Boiler, Tank and Shipping Container Manufacturing**

Hardware Manufacturing**

Spring and Wire Product Manufacturing**

Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing**

Coating, Engraving, Heat Treating and Allied Activities**

Agricultural, Construction and Mining Machinery Manufacturing**

Industrial Machinery Manufacturing**

Commercial and Service Industry Machinery Manufacturing**

Ventilation, Heating, Air-Conditioning and Commercial Refrigeration Equipment**

Metalworking Machinery Manufacturing**

Engine, Turbine and Power Transmission Equipment Manufacturing**

Other General-Purpose Machinery Manufacturing**

Computer and Peripheral Equipment Manufacturing**

Communications Equipment Manufacturing**

Audio and Video Equipment Manufacturing**

Semiconductor and Other Electronic Component Manufacturing**

Navigational, Measuring, Medical and Control Instruments Manufacturing**

Manufacturing and Reproducing Magnetic and Optical Media**

Electric Lighting Equipment Manufacturing**

Household Appliance Manufacturing**

Electrical Equipment Manufacturing**

Other Electrical Equipment and Component Manufacturing**

Motor **Vehicle** Manufacturing**

Motor **Vehicle** Body and Trailer Manufacturing**

Motor **Vehicle** Parts Manufacturing**

Aerospace Product and Parts Manufacturing**

Railroad Rolling Stock Manufacturing**

Ship and Boat **Building****

Other Transportation Equipment Manufacturing**

Household and Institutional Furniture and Kitchen Cabinet Manufacturing**

Office Furniture (including Fixtures) Manufacturing**

Other Furniture-Related Product Manufacturing**

Medical Equipment and Supplies Manufacturing**

Other Miscellaneous Manufacturing**

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

60.20.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – E Zone

In the E zone, the following uses are permitted if they comply with the applicable regulations in Clause 60.20.20.100:

Software Development and Processing* (1)

Office (2)

Eating Establishment* (19, 24)

Take-out Eating Establishment* (20, 24)

Retail Service* (3)

Vehicle Fuel Station* (16,26)

Vehicle Service Shop* (17)

Vehicle Washing Establishment* (18)

Vehicle Repair Shop* (23)

Drive-Through Facility* (5,21)

Vehicle Depot*(6)

Recovery Facility* (8,9,10)

Shipping Terminal* (11)

Waste Transfer Station* (12)

Meat Product Manufacturing** (13)

Forging and Stamping** (25)

Other Fabricated Metal Product Manufacturing** (7)

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

The number after the listed use is the condition number reference in Clause
60.20.20.100

60.20.20.30 Ancillary Use

(1) Ancillary Use – E Zone

In addition to the uses permitted in Clause 5.10.20.30, in the E zone, the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 60.20.20.100: and in Chapter 150 Specific Use Regulations:

Retail Store* (4)

Showroom*

Open Storage* (15)

*This is a defined term in Chapter 800 of this By-law.

The number after the listed use is the condition number reference in Clause
60.20.20.100

60.20.20.100 Conditions

(1) Software Development and Processing Condition

In an E zone, the maximum **interior floor area** on a **lot** used for **software development and processing** is the lesser of:

(A) 5,000 square metres; or

(B) an area equal to a **floor space index** of 0.5.

(2) Office Condition

In an E zone, the maximum **interior floor area** on a **lot** used for office is the lesser of:

- (A) 5,000 square metres; or
- (B) an area equal to a **floor space index** of 0.5.

(3) Retail Service Condition

In an E zone, the total **interior floor area** devoted to **retail service, eating establishment, or take-out eating establishment** may not individually or in combination on a **lot** exceed the greater of:

- (A) 200 square metres; or
- (B) 10% of the total **gross floor area** of other uses on the **lot**, but no greater than 500 square metres of **interior floor area**.

(4) Ancillary Retail Store Condition

In an E zone, the **interior floor area** devoted to **ancillary retail store** does not exceed the lesser of:

- (A) 200 square metres; or
- (B) 10% of the total **gross floor area** of principal uses on the **lot**.

Ancillary retail store on a **lot** must be delineated by a floor-to-ceiling partition wall from the principal uses to prevent public access from these latter uses.

(5) Drive-Through Facility Condition

In an E zone, a **drive-through facility** is permitted if:

- (A) it is in association with another permitted use in an E zone; and
- (B) the **lot** has frontage on a **street** as shown on the Major **Streets** Overlay Map.

(6) Vehicle Depot Condition

In an E zone, a **lot** containing a **vehicle depot** must be a minimum of 70 metres from a **lot** in a Residential zone category.

(7) Other Fabricated Metal Product Manufacturing Condition

In an E zone, a fabricated metal product **manufacturing use** does not include the manufacturing of ammunition or firearms.

(8) Recovery Facility Condition

In an E zone, the separating or sorting of recyclable materials for a **recovery facility** must take place within a wholly enclosed **building** and there is no other use in the **building**.

(9) Recovery Facility Separation Distance Condition

In an E zone, a **lot** containing a **recovery facility** must be a minimum of 70 metres from a **lot** in a Residential zone category.

(10) Recovery Facility Open Storage of Recyclable Materials Condition

In an E zone, **open storage** of recyclable materials is permitted if the storage:

- (A) is not located in a **front yard**;
- (B) not in a yard that abuts a **lot** in a Residential zone category;

- (C) is located a minimum of 7.5 metres from a **lot line**;
- (D) is not more than 30% of the area of the yard it is located within; and
- (E) is located within a fenced compound.

(11) Shipping Terminal Condition

In an E zone, a **shipping terminal** is permitted if the **lot** is a minimum of 70 metres from a **lot** in a Residential zone category.

(12) Waste Transfer Station Condition

In an E zone, a **waste transfer station** is permitted if the **lot** is a minimum of 70 metres from a **lot** in a Residential zone category.

(13) Meat Product Manufacturing Condition

In an E zone, meat product manufacturing does not include an abattoir or any use that involves the slaughtering of animals, the rendering of animals, or the processing of dead animal stock for the purposes of animal feed.

(15) Ancillary Open Storage Condition

In an E zone, **ancillary open storage** is permitted if:

- (A) the **lot** does not abut a **lot** in a Residential zone category;
- (B) the **open storage** is not located in the **front yard** of the **lot**;
- (C) the **open storage** is located a minimum of 7.5 metres from any **lot line**;
- (D) it is not more than 30% of the **lot area**; and
- (E) the area used for **open storage** is fenced.

(16) Vehicle Fuel Station

A **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(17) Vehicle Service Shop

A **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(18) Vehicle Washing Establishment

A **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.

(19) Eating Establishment

An **eating establishment** must comply with the specific use regulations in Section 150.100.

(20) Take-out Eating Establishment

A **take-out eating establishment** must comply with the specific use regulations in Section 150.100.

(21) Drive-through

A drive-through must comply with the specific use regulations in Section 150.80.

(23) Vehicle Repair Shop

In an E zone, a **lot** containing a **vehicle repair shop** must be a minimum of 100 metres from a **lot** in a Residential zone category.

(24) Eating Establishment Condition

In an E zone, the total **interior floor area** devoted to **eating establishment**, or **take-out eating establishment** and **retail service** may not individually or in combination on a **lot** exceed the greater of:

- (A) 200 square metres; or
- (B) 10% of the total **interior floor area** of other uses on the **lot**, but no greater than 500 square metres of **interior floor area**.

(25) Forging and Stamping Condition

In an E zone, a forging and stamping use must be a minimum of 70 metres from a **lot** in a Residential zone category.

(26) Vehicle Fuel Station with Other Uses Condition

In an E zone, a combination of a **retail store**, **eating establishment**, or **take-out eating establishment** may be permitted on a **lot** with a **vehicle fuel station**, if:

- (A) the **retail store** is limited to a convenience store only;
- (B) the total interior floor area devoted to the **vehicle fuel station**, **retail store**, **eating establishment** or **take-out eating establishment** does not exceed 200 square metres; and
- (C) the convenience store may only remain on the **lot** as long as the **vehicle fuel station** use exists.

For the purposes of this regulation a convenience store means a **premises** which sells products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines.

60.20.30 Lot Requirements

60.20.30.20 Frontage

(1) Minimum Lot Frontage for Lots in a E zone

In an E zone, the minimum **lot frontage** is 20.0 metres.

60.20.30.200 Exemptions

(1) Existing Lot Frontage Exemption for Lots in an E zone

If on the date of enactment of this bylaw, in an Employment Industrial Zone (E), an existing **lot** complied with the applicable former zoning bylaw for **lot frontage**, or it has a **lot frontage** that was permitted by a section 45 Planning Act minor variance and that lawfully existing **lot frontage** is less than the minimum **lot frontage** required by this bylaw, then the minimum **lot frontage** for that existing **lot** is its **lot frontage** on the date of enactment of this bylaw.

60.20.40 Principal Building Requirements

60.20.40.10 Height

(1) Maximum Permitted Height - E Zone

If a **lot** in a E zone is in an area that:

- (A) has no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 20.0 metres; or
- (B) has a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an E zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 2.0 metres

60.20.40.70 Setbacks

(1) Minimum Front Setback for Lots in an E Zone

In an E zone, the minimum setback of a **building** or **structure** from the **front lot line** is 6.0 metres.

(2) Minimum Side Setback for Lots in an E Zone

In an E zone, the minimum **building setback** from a **side lot line**:

(A) that does not abut a **street**, is:

- (i) 3.0 metres if the **lot frontage** is less than 30.0 metres;
- (ii) 4.5 metres if the **lot frontage** is from 30.0 metres to less than 60.0 metres; and
- (iii) 6.0 metres in all other cases; and

(B) that abuts a **street**, is 6.0 metres.

(4) Minimum Rear Setback for Lots in an E Zone

In an E zone, the minimum setback for a **building** or **structure** from the **rear lot line** is 7.5 metres.

(5) Minimum Setback for Lots in an E Zone abutting a Residential Zone Category or Residential Apartment Zone Category

In an E zone, the minimum setback for a **building** or **structure** from a **lot line** that abuts a **lot** in a Residential zone category or Residential Apartment zone category is 15.0 metres.

60.20.40.200 Exemptions

(1) Existing Front, Side and Rear Lot Setback Exemptions for Buildings in an E zone

If on the date of the enactment of this By-law, a lawfully erected **building** in the Employment Industrial Zone (E) complied with the applicable former zoning bylaw for **building setbacks** or has a **building setback** that was permitted by a section 45 Planning Act minor variance, and is now set back from a **front lot line**, **rear lot line** or any **side lot line** less than that required by this By-law, then the minimum **front yard building setback**, **rear yard building setback** or **side yard building setback** for that existing **building** is the greater of:

- (A) the actual **building setback** from the **front lot line**, **rear lot line** or **side lot line** that lawfully existed on the date of the enactment of this By-law; or
- (B) the **building setback** from the **front lot line**, **rear lot line** or **side lot line** required by the Employment Industrial Zone; and

Despite (A) and (B), any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(2) Existing Gross Floor Area Exemption in an E Zone

If on the date of enactment of this bylaw, in an Employment Industrial Zone (E), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **gross floor area**, or has a **gross floor area** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **gross floor area** is greater than the **gross floor area** permitted by this bylaw, then the maximum **gross floor area** for that existing **building** or **structure** is its **gross floor area** on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(3) Existing Height Exemption in an E Zone

If on the date of enactment of this bylaw in a Employment Industrial Zone (E), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by Clause 60.20.40.10 of this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

60.20.50 Yards

60.20.50.10 Landscaping

(1) Soft Landscaping - Front Yard Minimum

In an E zone, a minimum of 50% of the **front yard** must be used for **soft landscaping**.

(2) Soft Landscaping- Street Lot Line Requirement

In an E zone, any **lot line** abutting a **street** must have a minimum of 3.0 metre wide strip of **soft landscaping** along the entire length of the **lot line**, excluding land used for **driveways** and walkways.

60.20.60 Ancillary Buildings and Structures

60.20.60.10 Location

(1) Location of Ancillary Buildings in an E Zone

In an E zone:

- (A) an **ancillary building** or **structure** may not be located in a **front yard**;
- (B) an **ancillary building** or **structure** is subject to the minimum front, side, and **rear yard building setbacks** established for principal **buildings** in an E zone; and
- (C) an **ancillary building** or **structure** used for the purpose of a gatehouse or other security purpose is not subject to (A) or (B) above.

60.20.60.200 Exemptions

(1) Existing Ancillary Building Exemption in an E Zone

If an **ancillary building** or **structure** on a **lot** in an E zone on the date of the enactment of this By-law was lawfully located in the **front yard**, or in a required **building setback** in an E zone, the **ancillary building** or **structure** may remain.

60.20.80 Parking

60.20.80.1 General

(1) Applicable Parking Rate- Ancillary Retail Store

In an E zone, the **parking space** requirement for the **ancillary retail store** is calculated at the same rate as the principal use to which it is **ancillary**.

60.20.80.200 Exemptions

(1) Existing Parking Space Deficiency Exemption in an E Zone

If on the date of the enactment of this By-law a **lot** in an Employment Industrial Zone (E) contains uses in compliance with the applicable former zoning bylaw, and provided **parking spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance, and the lawfully existing number of those **parking spaces** existing on the date of the enactment of this By-law is less than the number required by this By-law, then the number of **parking spaces** that existed on the **lot** for that use, on the date of the enactment of this by-law, is the minimum number of **parking spaces** required for that use; if there is:

- (A) an increase in the **interior floor area** for that use, **parking spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **parking spaces** must be provided in accordance with the requirements of this By-law.

60.20.90 Loading

60.20.90.10 Location

(1) Location of Loading Space in an E Zone

In an E zone, a **loading space** may not be located in a **front yard**.

60.20.90.40 Access to Loading Space

(1) Access to Loading Space on a Lot in an E Zone

In an E zone:

- (A) if a **lot** abuts a **lane**, access to a **loading space** must be from the **lane**;
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a **street** identified on the Major **Streets** Overlay Map, access to a **loading space** must be from the **street** which is not a major **street**; and
- (C) if a **lot** is not a **lot** described in (A) or (B), access to a **loading space** may be from the **street** on which the **lot** fronts.

60.20.90.200 Exemptions

(1) Existing Loading Space Exemption for Buildings in an E Zone

In an E zone, if a **building** existing on the **lot** on the date of the enactment of this By-law has a **loading space** lawfully located within the **front yard**, that **loading space** may remain.

(2) Existing Access to Loading Space Exemption for Buildings on Lots in an E Zone

In an E zone, if an existing **building** on a **lot** on the date of the enactment of this By-law has a lawful access to a **loading space** that does not comply with section 60.20.90.40 (1), the access may remain.

(3) Existing Loading Space Deficiency Exemption in an E Zone

If on the date of the enactment of this By-law a **lot** in an E zone contains a **building** that has a lawful use, for which **loading spaces** were lawfully provided and the number of those **loading spaces** existing on the date of the enactment of this By-law is less than that required by this By-law, then the number of **loading spaces** that existed on the **lot** on the date of the enactment of this By-law is the minimum number of **loading spaces** required on the **lot** for that use in that **building**.

60.30 Employment Heavy Industrial Zone (EH)

60.30.1 General

60.30.1.1 Purpose of the Zone

(1) Purpose of the EH Zone

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

60.30.20 Permitted Uses

60.30.20.1 General

(1) Uses in EH zone involving certain chemical substances subject to minimum separation distances

In an EH zone, if a use listed under Clauses 60.30.20.10, 60.30.20.20 or 60.30.20.30 uses or stores chemicals listed in Clause 150.200.20, the use must comply with the requirements in Section 150.200.

60.30.20.10 Principal Use

(1) Principal Use – EH Zone

In the EH zone, the following uses are permitted if they comply with the associated maximum **floor space index** value:

Service Shop*

Vehicle Depot*

Vehicle Repair Shop*

Laboratory*

Sewage Plant

Water Filtration Plant

Public Utility*

Public Works Yard*

Animal Shelter*

Recovery Facility*

Shipping Terminal*

Waste Transfer Station*

Chemical Materials Storage

Fuel Storage

Warehouse*

Cold Storage

Food **Warehouse**

Bindery

Custom Workshop*

Carpenter's Shop

Industrial Sales and Service Use*

Building Supply Yards

Salvage Yard*

Dry Cleaning or Laundry Plant

Contractor's Establishment

Animal Food Manufacturing**

Grain and Oilseed Milling**

Sugar and Confectionary Product Manufacturing**

Fruit and Vegetable Preserving and Speciality Food Manufacturing**

Dairy Product Manufacturing**

Meat Product Manufacturing**

Seafood Product Preparation and Packaging**

Bakeries and Tortilla Manufacturing**

Other Food Manufacturing**

Beverage Manufacturing**

Tobacco Manufacturing**

Fibre, Yarn and Thread Mills**

Fabric Mills**

Textile and Fabric Finishing and Fabric Coating**

Textile Furnishings Mills**

Other Textile Product Mills**

Clothing Knitting Mills**

Cut and Sew Clothing Manufacturing**

Clothing Accessories and Other Clothing Manufacturing**

Footwear Manufacturing**

Other Leather and Allied Product Manufacturing**

Sawmills and Wood Preservation**

Veneer, Plywood and Engineered Wood Product Manufacturing**

Other Wood Product Manufacturing**

Pulp, Paper and Paperboard Mills**

Converted Paper Product Manufacturing**

Printing and Related Support Activities**

Basic Chemical Manufacturing**

Resin, Synthetic Rubber, and Artificial and Synthetic Fibres and Filaments Manufacturing**

Pesticide, Fertilizer and Other Agricultural Chemical Manufacturing**

Paint, Coating and Adhesive Manufacturing**

Soap, Cleaning Compound and Toilet Preparation Manufacturing**

Plastic Product Manufacturing**

Rubber Product Manufacturing**

Clay Product and Refractory Manufacturing**

Glass and Glass Product Manufacturing**

Cement and Concrete Product Manufacturing**

Lime and Gypsum Product Manufacturing**

Other Non-Metallic Mineral Product Manufacturing**

Iron and Steel Mills and Ferro-Alloy Manufacturing**

Steel Product Manufacturing from Purchased Steel**

Alumina and Aluminium Production and Processing**

Non-Ferrous Metal (except Aluminium) Production and Processing**

Foundries**

Forging and Stamping**

Cutlery and Hand Tool Manufacturing**

Architectural and Structural Metals Manufacturing**

Boiler, Tank and Shipping Container Manufacturing**

Hardware Manufacturing**

Spring and Wire Product Manufacturing**

Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing**

Coating, Engraving, Heat Treating and Allied Activities**

Agricultural, Construction and Mining Machinery Manufacturing**

Industrial Machinery Manufacturing**

Commercial and Service Industry Machinery Manufacturing**

Ventilation, Heating, Air-Conditioning and Commercial Refrigeration Equipment**

Metalworking Machinery Manufacturing**

Engine, Turbine and Power Transmission Equipment Manufacturing**

Other General-Purpose Machinery Manufacturing**

Computer and Peripheral Equipment Manufacturing**

Communications Equipment Manufacturing**

Audio and Video Equipment Manufacturing**

Semiconductor and Other Electronic Component Manufacturing**

Navigational, Measuring, Medical and Control Instruments Manufacturing**

Manufacturing and Reproducing Magnetic and Optical Media**

Electric Lighting Equipment Manufacturing**

Household Appliance Manufacturing**

Electrical Equipment Manufacturing**

Other Electrical Equipment and Component Manufacturing**

Motor **Vehicle** Manufacturing**

Motor **Vehicle** Body and Trailer Manufacturing**

Motor **Vehicle** Parts Manufacturing**

Aerospace Product and Parts Manufacturing**

Railroad Rolling Stock Manufacturing**

Ship and Boat **Building****

Other Transportation Equipment Manufacturing**

Household and Institutional Furniture and Kitchen Cabinet Manufacturing**

Office Furniture (including Fixtures) Manufacturing**

Other Furniture-Related Product Manufacturing**

Medical Equipment and Supplies Manufacturing**

Other Miscellaneous Manufacturing**

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

60.30.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – EH Zone

In the EH zone, the following uses are permitted if they comply with the specific conditions set out for each use in Clause 60.30.20.100, and the associated maximum **floor space index** value:

Propane Transfer, Handling and Storage Facility (9)

Vehicle Service Shop* (5)

Open Storage* (1)

Outside Operations (2)

Other Fabricated Metal Product Manufacturing** (3)

Leather and Hide Tanning and Finishing** (6)

Petroleum and Coal Product Manufacturing** (7)

Other Chemical Product Manufacturing** (8)

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

The number after the listed use is the condition number reference in Clause 60.30.20.100

60.30.20.30 Ancillary Use

(1) Ancillary Use – EH Zone

In addition to the uses permitted in Clause 5.10.20.30, in the EH zone, the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 60.30.20.100 and in Chapter 150 Specific Use Regulations:

Showroom*

Office (4)

*This is a defined term in Chapter 800 of this By-law.

60.30.20.100 Conditions

(1) Open Storage Condition

In the EH zone **open storage** is permitted on a **lot** if:

- (A) it is located within the required **building setbacks** for the **lot**; and
- (B) the area used for **open storage** is fenced.

(2) Outside Operations Condition

In an EH zone outside operations associated with a permitted **manufacturing use** is permitted on a **lot** if:

- (A) it is located within the required **building setbacks** for the **lot**; and
- (B) the area used for outside operations is fenced.

(3) Other Fabricated Metal Product Manufacturing Condition

In an EH zone, a fabricated metal product **manufacturing use** does not include the manufacturing of ammunition or firearms.

(4) Ancillary Office Condition

In an EH zone an **ancillary** office is permitted if the **interior floor area** used for office is the lesser of:

- (A) 10% of the **interior floor area** of the **building**; or
- (B) 1,000 square metres.

(5) Vehicle Service Shop

A **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(6) Leather and Hide Tanning and Finishing Condition

In an EH zone, a leather and hide tanning and finishing **manufacturing use** will not include any use that involves tanning or currying of hides or leather.

(7) Petroleum and Coal Product Manufacturing Condition

In an EH zone, a petroleum and coal product **manufacturing use** may not include petroleum refineries.

(8) Other Chemical Product Manufacturing Condition

In an EH zone, the use, "other chemical product manufacturing", does not include explosives manufacturing.

(9) Propane Transfer, Handling and Storage Facility Condition

In an EH zone:

- (A) a propane transfer, handling and storage facility is permitted if the use is on a **lot** that is located a minimum of 300 metres from a **lot** that is in a zone that permits a sensitive use as listed in Clause 150.200.1 (1) of this By-law; and
- (B) a **manufacturing use** permitted in the EH zone that involves propane in the manufacturing process, or in the operation of equipment or **vehicles** is not subject to (A).

60.30.30 Lot Requirements

60.30.30.20 Frontage

- (1) Minimum Lot Frontage for Lots in a EH zone

In an EH zone, the minimum **lot frontage** is 30.0 metres.

60.30.30.200 Exemptions

- (1) Existing Lot Frontage Exemption for Lots in an EH zone

If a **lot** in an EH zone on the date of the enactment of this By-law has a lawful minimum **lot frontage** less than that permitted by this By-law, the minimum **lot frontage** for that **lot** is the **lot frontage** that existed on the date of the enactment of this By-law.

60.30.40 Principal Building Requirements

60.30.40.10 Height

- (1) Maximum Permitted Height - EH Zone

If a **lot** in a EH zone is in an area that:

- (A) has no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 20.0 metres; and
- (B) has a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

- (2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an EH zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 2.0 metres

60.30.40.70 Setbacks

- (1) Minimum Front Setback for Lots in a EH Zone

In an EH zone, the minimum setback of a **building** or **structure** from the **front lot line** is 6.0 metres.

- (2) Minimum Side Setback for Lots in a EH Zone

In an EH zone, the minimum **building setback** from a **side lot line**:

- (A) that does not abut a **street**, is:
 - (i) 4.5 metres if the **lot frontage** is less than 60.0 metres; and
 - (ii) 6.0 metres in all other cases; and
- (B) that abuts a **street**, is 6.0 metres.

(4) Minimum Rear Setback for Lots in a EH Zone

In an EH zone, the minimum setback of a **building** or **structure** from the **rear lot line** is 7.5 metres.

(5) Minimum Setback for Lots in a EH Zone abutting a Residential Zone

In an EH zone, the minimum setback of a **building** or **structure** from a **lot line** that abuts a **lot** in a Residential zone category is 15.0 metres.

60.30.40.200 Exemptions

(1) Existing Front, Side and Rear Lot Setback Exemptions for Buildings in an EH zone

If on the date of the enactment of this By-law, a lawfully erected **building** in the Employment Heavy Industrial Zone (EH), complied with the applicable former zoning bylaw for **building setbacks** or has a **building setback** that was permitted for this **building** by a section 45 Planning Act minor variance, and is now set back from a **front lot line**, **rear lot line** or any **side lot line** less than that required by this By-law, then the minimum **front yard building setback**, **rear yard building setback** or **side yard building setback** for that existing **building** is the greater of:

- (A) the actual **building setback** from the **front lot line**, **rear lot line** or **side lot line** that lawfully existed on the date of the enactment of this By-law; or
- (B) the **building setback** from the **front lot line**, **rear lot line** or **side lot line** required by the Employment Heavy Industrial Zone; and

Despite (A) and (B), any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(2) Existing Gross Floor Area Exemption in an EH Zone

If on the date of enactment of this bylaw, in an Employment Heavy Industrial Zone (EH), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **gross floor area**, or has a **gross floor area** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **gross floor area** is greater than the **gross floor area** permitted by this bylaw, then the maximum **gross floor area** for that existing **building** or **structure** is its **gross floor area** on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(3) Existing Height Exemption in an EH Zone

If on the date of enactment of this bylaw in a Employment Heavy Industrial Zone, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by Clause 40.30.40.10 of this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

60.30.80 Parking

60.30.80.200 Exemptions

(1) Existing Parking Space Deficiency Exemption in an EH Zone

If on the date of the enactment of this By-law a **lot** in an Employment Heavy Industrial Zone (EH), contains uses in compliance with the applicable former zoning bylaw, and

provided **parking spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance, and the number of those **parking spaces** lawfully existing on the date of the enactment of this By-law is less than the number required by this By-law, then the number of **parking spaces** that existed on the **lot** for that use, on the date of the enactment of this by-law, is the minimum number of **parking spaces** required for that use, if there is:

- (A) an increase in the **interior floor area** for that use, **parking spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **parking spaces** must be provided in accordance with the requirements of this By-law.

60.30.90 Loading

60.30.90.200 Exemptions

(3) Existing Loading Space Deficiency Exemption in an EH Zone

If on the date of the enactment of this By-law a **lot** in an Employment Heavy Industrial Zone (EH), contains uses in compliance with the applicable former zoning bylaw, and provided **loading spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance and the number of those **loading spaces** lawfully existing on the date of the enactment of this By-law is less than that required by this By-law, then the number of **loading spaces** that existed on the **lot** on the date of the enactment of this By-law is the minimum number of **loading spaces** required for that use; if there is:

- (A) an increase in the **interior floor area** for that use, **loading spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **loading spaces** must be provided in accordance with the requirements of this By-law.

60.40 Employment Industrial Office Zone (EO)

60.40.1 General

60.40.1.1 Purpose of the Zone

(1) Purpose of the EO Zone

The purpose of the EO zone is to permit an area for a mix of manufacturing and office land uses that can be expected to co-exist with each other in a 'business park' setting.

60.40.1.10 Interpretation

(1) Interpretation of EO Zone Label for Floor Space Index

In the EO zone, the numerical value indicating the maximum **floor space index** on the **lot** may be followed by:

- (i) the letter 'e' with an associated numerical value, indicating the maximum **interior floor area** based on the permitted maximum **floor space index** for employment industrial uses, as listed in the principal use list and principal use conditional list in each zone; and
- (ii) the letter 'o' with an associated numerical value, indicating the maximum **interior floor area** based on the permitted maximum **floor space index** for office uses, as listed in the principal use list and principal use conditional list in each zone.

(2) Interpretation of EO Zone Floor Space Index for Unlisted uses

In the EO zone, if a use is permitted but is not listed on the principal use list and principal use conditional list for that zone, the maximum permitted **interior floor area** for that use is equal maximum **floor space index** indicated by the numerical value following the letter 'e'.

60.40.20 Permitted Uses

60.40.20.1 General

- (1) Uses in EO zone involving certain chemical substances subject to minimum separation distances

In an EO zone a use listed under Clauses 60.40.20.10, 60.40.20.20 or 60.40.20.30 which uses or stores substances listed in Clause 150.200.20 must comply with the applicable requirements in Section 150.200.

60.40.20.10 Principal Use

- (1) Principal Use – EO Zone

In an EO zone, the following uses are permitted under the letter 'e':

Service Shop*

Wholesaling Use*

Laboratory*

Animal Shelter*

Veterinary Hospital*

Artist Studio*

Production Studio*

Warehouse*

Self-storage Warehouse*

Cold Storage

Food **Warehouse**

Bindery

Custom Workshop*

Carpenter's Shop

Industrial Sales and Service Use*

Dry Cleaning or Laundry Plant

Converted Paper Product Manufacturing**

Printing and Related Support Activities**

Household and Institutional Furniture and Kitchen Cabinet Manufacturing**

Office Furniture (including Fixtures) Manufacturing**

Other Furniture-Related Product Manufacturing**

Medical Equipment and Supplies Manufacturing**

In an EO zone, the following uses are permitted under the letter 'o':

Park*

Recreation Use*

Software Development and Processing*

Office

Financial Institution*

Art Gallery*

Club*

Museum*

Performing Arts Studio*

Community Centre*

Library

Passenger Terminal*

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

60.40.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – EO Zone

In an EO zone, the following uses are permitted under the letter 'e', if they comply with the specific conditions set out for each use in Clause 60.40.20.100:

Public Utility* (1)

Contractor's Establishment (2)

Animal Food Manufacturing** (3)
 Grain and Oilseed Milling** (3)
 Sugar and Confectionary Product Manufacturing** (3)
 Fruit and Vegetable Preserving and Speciality Food Manufacturing** (3)
 Dairy Product Manufacturing** (3)
 Meat Product Manufacturing** (3,12)
 Seafood Product Preparation and Packaging** (3)
 Bakeries and Tortilla Manufacturing** (3)
 Other Food Manufacturing** (3)

Beverage Manufacturing** (3)

Cut and Sew Clothing Manufacturing** (3)
 Clothing Accessories and Other Clothing Manufacturing** (3)

Footwear Manufacturing** (3)
 Other Leather and Allied Product Manufacturing** (3)

Pharmaceutical and Medicine Manufacturing** (3)

Plastic Product Manufacturing** (3)

Clay Product Manufacturing** (3)

Cutlery and Hand Tool Manufacturing** (3)
 Architectural and Structural Metals Manufacturing** (3)
 Hardware Manufacturing** (3)
 Spring and Wire Product Manufacturing** (3)
 Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing** (3)
 Other Fabricated Metal Product Manufacturing** (3,4)

Computer and Peripheral Equipment Manufacturing** (3)
 Communications Equipment Manufacturing** (3)
 Audio and Video Equipment Manufacturing** (3)
 Semiconductor and Other Electronic Component Manufacturing** (3)
 Navigational, Measuring, Medical and Control Instruments Manufacturing** (3)
 Manufacturing and Reproducing Magnetic and Optical Media** (3)
 Electrical Lighting Equipment Manufacturing** (3)

Other Electrical Equipment and Component Manufacturing** (3)

Motor **Vehicle** Manufacturing** (3)

Motor **Vehicle** Body and Trailer Manufacturing** (3)

Motor **Vehicle** Parts Manufacturing** (3)

Railroad Rolling Stock Manufacturing** (3)

Ship and Boat **Building**** (3)

Other Transportation Equipment Manufacturing** (3)

Other Miscellaneous Manufacturing** (3)

In an EO zone, the following uses are permitted under the letter 'o', if they comply with the specific conditions set out for each use in Clause 60.40.20.100:

Eating Establishment* (6,16, 20)

Take-out Eating Establishment* (6,17, 20)

Hotel* (5, 21)

Personal Service Shop* (6)

Retail Service* (6)

Retail Store* (6)

Public Parking (8,9)

Drive-Through Facility* (10,18)

Vehicle Fuel Station* (21,22)

Place of Assembly* (11,19)

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

The number after the listed use is the condition number reference in Clause 60.40.20.100

60.40.20.30 Ancillary Use

(1) Ancillary Use – EO Zone

In addition to the uses permitted in Clause 5.10.20.30, in an EO zone, the following **ancillary** uses are permitted if they comply with the specific conditions set out for the particular use in Clause 60.40.20.100 and in Chapter 150 Specific Use Regulations:

Showroom*

Open Storage (13)

Outdoor Patio* (14)

*This is a defined term in Chapter 800 of this By-law.

The number after the listed use is the condition number reference in Clause 60.40.20.100.

60.40.20.100 Conditions

(1) Public Utility Condition

In an EO zone, the following **public utilities** providing indirect services to a **lot** are permitted:

- (A) water treatment plant;
- (B) sewer treatment plant;
- (C) electrical transformer station;
- (D) district heating generation and transmission; and
- (E) co-generation

(2) Contractor's Establishment Condition

In an EO zone, a **contractor's establishment** is permitted on a **lot** if heavy equipment, such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment, is not stored on the **lot**.

(3) Manufacturing Use- Interior Floor Area Condition

In an EO zone, a **manufacturing use** listed in Clause 60.40.20.20 is permitted if the maximum **interior floor area** of all **manufacturing uses** on the **lot** is not more than the lesser of:

- (A) 5,000 square metres; or
- (B) the maximum permitted **floor space index** for the **lot** associated with the 'e'.

(4) Other Fabricated Metal Product Manufacturing Condition

In an EO zone, a fabricated metal product **manufacturing use** does not include the manufacturing of ammunition or firearms.

(5) Hotel Condition

In an EO zone, a **hotel** is permitted if the **lot** fronts a **street** shown on the Major **Streets** Overlay Map.

(6) Retail Service, Retail Store, Personal Service Shop or Eating Establishment Condition

In an EO zone, the total **interior floor area** devoted to **retail service, retail store, personal service shop, eating establishment, or take-out eating establishment** does not individually or in combination on a **lot** exceed the greater of:

- (A) 200 square metres; or
- (B) 10% of the total **interior floor area** of other uses on the **lot**, but no greater than 500 square metres in **interior floor area**.

Retail store, personal service shop, eating establishment or take-out eating establishment individually or in combination on a **lot** must be delineated by a floor-to-ceiling partition wall from the principal uses to prevent public access from

these latter uses.

(8) Public Parking- Abutting a Lot in a Residential Zone Condition

In an EO zone, if a **lot** is used for **public parking** and abuts a **lot** in a Residential zone category or Residential Apartment zone category:

- (A) access to the **public parking** may not be through any part of a **lot** in a Residential zone category or Residential Apartment zone category;
- (B) any part of a **lot line** abutting a **lot** in a Residential zone category or Residential Apartment zone category must be fenced; and
- (C) an area used for the parking or storage of a **vehicle** must be at least 3.0 metres from a **lot line** that abuts a **lot** in a Residential zone category.

(9) Public Parking- Attendant Shelter Condition

In an EO zone, on a **lot** used for **public parking**, one **ancillary building** for attendants is permitted if it:

- (A) has a maximum height of 4.0 metres, including all mechanical equipment;
- (B) has a maximum **interior floor area** of 5.0 square metres; and
- (C) is at least 6.0 metres from a **lot line** abutting a **street**.

(10) Drive-Through Facility Condition

In an EO zone, a **drive-through facility** is permitted if:

- (A) the use is in association with another permitted use in an EO zone; and
- (B) the **lot** has frontage on a **street** as shown on the Major **Streets** Overlay Map.

(11) Place of Assembly Condition

In an EO zone, a **place of assembly** is permitted on a **lot** that has an 'o' **floor space index** value of 2.0 or greater.

(12) Meat Product Manufacturing Condition

In an EO zone, meat product manufacturing does not include an abattoir or any use that involves the slaughtering of animals, the rendering of animals, or the processing of dead animal stock for the purposes of animal feed.

(13) Ancillary Open Storage Condition

In an EO zone, **ancillary open storage** is permitted if:

- (A) it is not more than 10% of the **lot area**;
- (B) setback a minimum of 7.5 metres from all **lot lines**; and
- (C) screened by a fence that demarks the **open storage** use area.

(14) Ancillary Outdoor Patio Condition

In an EO zone, an **ancillary outdoor patio** is permitted if it:

- (A) is not closer to a **lot line** than the minimum setback required for the principal **building** from that **lot line**;
- (B) does not occupying more than 20% of the **front yard**;
- (C) is not located on land required for parking, loading, **driveways** or **landscaping**;
- (D) is located on the ground and is a minimum of 10.0 metres from a **lot** in a Residential zone category or a Residential Apartment zone category;
- (E) is located on a roof, or on a platform that is higher than 0.6 metres above **average**

grade, and is at least 40.0 metres, measured horizontally, from a **lot** in a Residential zone category or a Residential Apartment zone category;

(F) is not used to listen, watch or enjoy entertainment such as music and dancing.

(16) Eating Establishment

An **eating establishment** must comply with the specific use regulations in Section 150.100.

(17) Take-out Eating Establishment

A **take-out eating establishment** must comply with the specific use regulations in Section 150.100.

(18) Drive-through

A drive-through must comply with the specific use regulations in Section 150.80.

(19) Place of Assembly- Banquet Hall

A **place of assembly** that is a banquet hall must comply with the specific use regulations in Section 150.98.

(20) Eating Establishment and Take-out eating Establishment- Amusement Device Condition

In an EO zone, an **eating establishment** or **take-out eating establishment** with an **interior floor area** of at least 130 square metres may have a maximum of 2 **amusement devices**.

(21) Vehicle Fuel Station

A **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(22) Vehicle Fuel Station with Other Uses Condition

In an EO zone, a combination of a **retail store**, **eating establishment**, or **take-out eating establishment** may be permitted on a **lot** with a **vehicle fuel station**, if:

(A) the **retail store** is limited to a convenience store only;

(B) the total interior floor area devoted to the **vehicle fuel station**, **retail store**, **eating establishment** or **take-out eating establishment** does not exceed 200 square metres; and

(C) the convenience store may only remain on the **lot** as long as the **vehicle fuel station** use exists.

For the purposes of this regulation a convenience store means a **premises** which sells products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines.

60.40.30 Lot Requirements

60.40.30.20 Frontage

(1) Minimum Lot Frontage for Lots in a EO zone

In an EO zone, the minimum **lot frontage** is 30.0 metres.

60.40.30.200 Exemptions

(1) Existing Lot Frontage Exemption for Lots in an EO zone

If on the date of enactment of this bylaw, in an Employment Office Zone (EO), an existing **lot** complied with the applicable former zoning bylaw for **lot frontage**, or has a **lot frontage** that was permitted by a section 45 Planning Act minor variance and that lawfully existing **lot frontage** is less than the **lot frontage** required by this bylaw, then the minimum **lot frontage** for that existing **lot** is its **lot frontage** on the date of enactment of this bylaw.

60.40.40 Principal Building Requirements

60.40.40.10 Height

(1) Maximum Permitted Height - EO Zone

If a **lot** in a EO zone is in an area that:

- (A) has no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 30.0 metres; and
- (B) has a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an EO zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 2.0 metres

60.40.40.70 Setbacks

(1) Minimum Front Setback for Lots in a EO Zone

In an EO zone, the minimum setback of a **building** or **structure** from the **front lot line** is 9.0 metres.

(2) Minimum Side Setback for Lots in a EO Zone

In an EO zone, the minimum **building setback** from a **side lot line**:

- (A) that does not abut a **street**, is:
 - (i) 4.5 metres, if the **lot frontage** is less than 60.0 metres;
 - (ii) 6.0 metres in all other cases; and
- (B) that abuts a **street**, is 9.0 metres.

(4) Minimum Rear Setback for Lots in a EO Zone

In an EO zone, the minimum setback of a **building** or **structure** from the **rear lot line** is 7.5 metres.

(5) Minimum Setback for Lots in a EO Zone abutting a Residential Zone

In an EO zone, the minimum setback of a **building** or **structure** from a **lot line** that abuts a **lot** in a Residential zone category is 15.0 metres.

60.40.40.200 Exemptions

(1) Existing Front, Side and Rear Lot Setback Exemptions for Buildings in an EO zone

If on the date of the enactment of this By-law, a lawfully erected **building** in the Employment Office Zone (EO), complied with the applicable former zoning bylaw for **building setbacks** or has a **building setback** that was permitted for this **building** by

a section 45 Planning Act minor variance, and is now set back from a **front lot line**, **rear lot line** or any **side lot line** less than that required by this By-law, then the minimum **front yard building setback**, **rear yard building setback** or **side yard building setback** for that existing **building** is the greater of:

- (A) the actual **building setback** from the **front lot line**, **rear lot line** or **side lot line** that lawfully existed on the date of the enactment of this By-law; or
- (B) the **building setback** from the **front lot line**, **rear lot line** or **side lot line** required by the Employment Office Zone; and

Despite (A) and (B), any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(2) Existing Gross Floor Area Exemption in an EO Zone

If on the date of enactment of this bylaw, in an Employment Office Zone (EO), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **gross floor area**, or has a **gross floor area** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **gross floor area** is greater than the **gross floor area** permitted by this bylaw, then the maximum **gross floor area** for that existing **building** or **structure** is its **gross floor area** on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(3) Existing Height Exemption in an EO Zone

If on the date of enactment of this bylaw in a Employment Industrial Office Zone, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by Clause 60.40.40.10 of this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

60.40.50 Yards

60.40.50.10 Landscaping

(1) Soft Landscaping - Front Yard Minimum

In an EO zone, a minimum of 50% of the **front yard** must be used for **soft landscaping**.

(2) Soft Landscaping- Street Lot Line Requirement

In an EO zone, any **lot line** abutting a **street** must have a minimum of 3.0 metre wide strip of **soft landscaping** along the entire length of the **lot line**, exclusive of **driveways** and walkways.

60.40.60 Ancillary Buildings and Structures

60.40.60.10 Location

(1) Location of Ancillary Buildings in an EO Zone

In an EO zone:

- (A) an **ancillary building** or **structure** may not be located in a **front yard**;

- (B) an **ancillary building** or **structure** is subject to the minimum front, side, and **rear yard building setbacks** established for principal **buildings** in an EO zone; and
- (C) an **ancillary building** or **structure** used for the purpose of a gatehouse or other security purpose will not be subject to (A) or (B) above.

60.40.60.200 Exemptions

- (1) Existing Ancillary Building Exemption in an EO Zone

If an **ancillary building** or **structure** on a **lot** in an EO zone on the date of the enactment of this By-law was lawfully located in the **front yard**, or in a required **building setback** in an EO zone, the **ancillary building** or **structure** may remain.

60.40.80 Parking

60.40.80.200 Exemptions

- (1) Existing Parking Space Deficiency Exemption in an EO Zone

If on the date of the enactment of this By-law a **lot** in an Employment Industrial Office Zone (EO), contains uses in compliance with the applicable former zoning bylaw, and provided **parking spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance, and the number of those **parking spaces** lawfully existing on the date of the enactment of this By-law is less than the number required by this By-law, then the number of **parking spaces** that existed on the **lot** for that use, on the date of the enactment of this by-law, is the minimum number of **parking spaces** required for that use; if there is:

- (A) an increase in the **interior floor area** for that use, **parking spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **parking spaces** must be provided in accordance with the requirements of this By-law.

60.40.90 Loading

60.40.90.10 Location

- (1) Location of Loading Space in an EO Zone

In an EO zone, a **loading space** may not be located in a **front yard**.

60.40.90.40 Access to Loading Space

- (1) Access to Loading Space on a Lot in an EO Zone

In an EO zone:

- (A) if a **lot** abuts a **lane**, access to a **loading space** must be from the **lane**;
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a **street** identified on the Major **Streets** Overlay Map, access to a **loading space** must be from the **street** which is not a major **street**; and
- (C) if a **lot** is not a **lot** described in (A) or (B), access to a **loading space** may be from the **street** on which the **lot** fronts.

60.40.90.200 Exemptions

- (1) Existing Loading Space Exemption for Buildings in an EO Zone

In an EO zone, if a **building** existing on the **lot** on the date of the enactment of this By-law has a **loading space** lawfully located within the **front yard**, that **loading space** may remain.

(2) Existing Access to Loading Space Exemption for Buildings on Lots in an EO Zone

In an EO zone, if an existing **building** on a **lot** on the date of the enactment of this By-law has a lawful access to a **loading space** that does not comply with section 60.40.90.40 (1), the access may remain.

(3) Existing Loading Space Deficiency Exemption in an EO Zone

If on the date of the enactment of this By-law a **lot** in an Employment Industrial Office Zone (EO), contains uses in compliance with the applicable former zoning bylaw, and provided **loading spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance and the number of those **loading spaces** lawfully existing on the date of the enactment of this By-law is less than that required by this By-law, then the number of **loading spaces** that existed on the **lot** on the date of the enactment of this By-law is the minimum number of **loading spaces** required for that use; if there is:

(A) an increase in the **interior floor area** for that use, **loading spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or

(B) a change of use in that **building**, **loading spaces** must be provided in accordance with the requirements of this By-law.

60.50 Employment Industrial - Commercial Zone (EC)

60.50.1 General

60.50.1.1 Purpose of the Zone

(1) Purpose of the EC Zone

The purpose of the EC zone is to accommodate employment lands that also contained on the date of the enactment of this by-law existing large scale, stand-alone retail and/or "power centres".

60.50.1.10 Interpretation

(1) Interpretation of EC Zone Label for Floor Space Index

In the EC zone, the numerical value indicating the maximum **floor space index** on the **lot** may be followed by:

(i) the letter 'e' with an associated numerical value, indicating the maximum **interior floor area** based on the permitted maximum **floor space index** for employment industrial uses, as listed in the principal use list and principal use conditional list in each zone; and

(ii) the letter 'c' with an associated numerical value, indicating the maximum **interior floor area** based on the permitted maximum **floor space index** for commercial uses, as listed in the principal use list and principal use conditional list in each zone.

(2) Interpretation of EO Zone Floor Space Index for Unlisted uses

In the EC zones, if a use is permitted but is not listed on the principal use list and principal use conditional list for that zone, the maximum permitted **interior floor area** for that use is equal maximum **floor space index** indicated by the numerical value following the letter 'e'.

60.50.20 Permitted Uses

60.50.20.1 General

- (1) Uses in EC zone involving certain chemical substances subject to minimum separation distances

In an EC zone, if a use listed under Clauses 60.50.20.10, 60.50.20.20 or 60.50.20.30 uses or stores chemicals listed in Clause 150.200.20, the use must comply with the requirements in Section 150.200.

60.50.20.10 Principal Use

- (1) Principal Use – EC Zone

In an EC zone, the following uses are permitted under the letter 'e':

Service Shop*

Wholesaling Use*

Laboratory*

Production Studio*

Warehouse*

Self-storage Warehouse*

Cold Storage

Food **Warehouse**

Bindery

Custom Workshop*

Carpenter's Shop

Industrial Sales and Service Use*

Building Supply Yards

Dry Cleaning or Laundry Plant

Converted Paper Product Manufacturing**

Printing and Related Support Activities**

Household and Institutional Furniture and Kitchen Cabinet Manufacturing**

Office Furniture (including Fixtures) Manufacturing**

Other Furniture-Related Product Manufacturing**

Medical Equipment and Supplies Manufacturing**

In an EC zone, the following uses are permitted under the letter 'c':

Park*

Financial Institution*

Entertainment Place of Assembly*

Sports Place of Assembly*

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

60.50.20.20 Principal Use - Conditional

(2) Principal Use – Conditional – EC Zone

In an EC zone, the following uses are permitted under the letter 'e', if they comply with the specific conditions set out for each use in Clause 60.50.20.100:

Kennel* (1)

Vehicle Service Shop* (18)

Vehicle Depot* (2)

Vehicle Repair Shop* (3)

Public Utility (4)

Contractor's Establishment (5)

Animal Food Manufacturing** (6)

Grain and Oilseed Milling** (6)

Sugar and Confectionary Product Manufacturing** (6)

Fruit and Vegetable Preserving and Speciality Food Manufacturing** (6)

Dairy Product Manufacturing** (6)

Meat Product Manufacturing** (6,8)

Seafood Product Preparation and Packaging** (6)

Bakeries and Tortilla Manufacturing** (6)

Other Food Manufacturing** (6)

Beverage Manufacturing** (6)

Cut and Sew Clothing Manufacturing** (6)

Clothing Accessories and Other Clothing Manufacturing** (6)

Footwear Manufacturing** (6)

Other Leather and Allied Product Manufacturing** (6)

Pharmaceutical and Medicine Manufacturing** (6)

Plastic Product Manufacturing** (6)

Clay Product Manufacturing** (6)

Cutlery and Hand Tool Manufacturing** (6)

Architectural and Structural Metals Manufacturing** (6)

Hardware Manufacturing** (6)

Spring and Wire Product Manufacturing** (6)

Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing** (6)

Other Fabricated Metal Product Manufacturing** (6,7)

Computer and Peripheral Equipment Manufacturing** (6)

Communications Equipment Manufacturing** (6)

Audio and Video Equipment Manufacturing** (6)

Semiconductor and Other Electronic Component Manufacturing** (6)

Navigational, Measuring, Medical and Control Instruments Manufacturing** (6)

Manufacturing and Reproducing Magnetic and Optical Media** (6)

Electrical Lighting Equipment Manufacturing** (6)

Other Electrical Equipment and Component Manufacturing** (6)

Motor **Vehicle** Manufacturing** (6)

Motor **Vehicle** Body and Trailer Manufacturing** (6)

Motor **Vehicle** Parts Manufacturing** (6)

Railroad Rolling Stock Manufacturing** (6)

Ship and Boat **Building**** (6)

Other Transportation Equipment Manufacturing** (6)

Other Miscellaneous Manufacturing** (6)

In the EC zone, the following uses are permitted under the letter 'c' if they comply with the specific conditions set out for each use in Clause 60.50.20.100:

Recreation Use*(9)

Eating Establishment* (10,22)

Drive-in Eating Establishment* (10,23)

Take-out Eating Establishment* (10,24)

Personal Service Shop* (10)

Retail Service* (10)

Retail Store* (10)

Public Parking* (12, 13)

Drive-Through Facility* (14,26)

Vehicle Dealership* (19)

Vehicle Fuel Station* (20,27)

Vehicle Washing Establishment* (21)

*This is a defined term in Chapter 800 of this By-law.

**This is a North American Industry Classification term in Appendix 'A' of this By-law.

The number after the listed use is the condition number reference in Clause 60.50.20.100

60.50.20.30 Ancillary Use

(3) Ancillary Use – EC Zone

In addition to the uses permitted in Clause 5.10.20.30, in an EC zone, the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 60.50.20.100 and in Chapter 150 Specific Use Regulations:

Showroom* (15)

Outdoor Patio* (16)

Outdoor Sales or Display (17)

*This is a defined term in Chapter 800 of this By-law.

The number after the listed use is the condition number reference in Clause 60.50.20.100

60.50.20.100 Conditions

(1) Kennel Condition

In an EC zone, a **kennel** is permitted if the **lot** is a minimum of 70 metres from a **lot** in a Residential zone category.

(2) Vehicle Depot Condition

In an EC zone, a **vehicle depot** is permitted if the **lot** is a minimum of 100 metres from a **lot** in a Residential zone category.

(3) Vehicle Repair Shop Condition

In an EC zone, a **vehicle repair shop** is permitted if the **lot** is a minimum of 100 metres from a **lot** in a Residential zone category.

(4) Public Utility Condition

In an EC zone, the following **public utilities** providing indirect services to a **lot** are permitted:

- (A) The **distribution** of gas, steam, electricity, or other forms of energy;
- (B) the transmission of impulses, signals, or messages; and
- (C) The storage or treatment of water.

(5) Contractor's Establishment Condition

In an EC zone, a **contractor's establishment** is permitted on a **lot** if heavy equipment such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment is not stored on the **lot**.

(6) Manufacturing Use- Near a Lot in a Residential Zone Condition

In an EC zone, a **manufacturing use** listed in Clause 60.50.20.20 is permitted if the maximum **interior floor area** of all **manufacturing uses** on the **lot** are not more than 5,000 square metres and the use is entirely contained within a wholly enclosed **building** if:

- (A) the side or **rear lot lines** abut a **lot** in a Residential zone category; or
- (B) a **lot line** that also abuts a **street** is less than 20.0 metres from a **lot** in a Residential zone category.

(7) Other Fabricated Metal Product Manufacturing Condition

In an EC zone, a fabricated metal product **manufacturing use** does not include the manufacturing of ammunition or firearms.

(8) Meat Product Manufacturing Condition

In an EC zone, meat product manufacturing does not include an abattoir or any use that involves the slaughtering of animals, the rendering of animals, or the processing of dead animal stock for the purposes of animal feed.

(9) Recreational Use Condition

In an EC zone, a golf driving range is permitted **Recreation Use** if:

- (A) the **lot** is a minimum of 70 metres from a **lot** in a Residential zone category; and
- (B) there is a fence between the use and any **lot line**.

(10) Retail Service, Retail Store, Personal Service Shop or Eating Establishment Condition

Retail service, retail store, personal service shop, eating establishment or take-out eating establishment individually or in combination on a **lot** must be delineated by a floor-to-ceiling partition wall from the principal uses to prevent public access from these latter uses.

(12) Public Parking- Abutting a Lot in a Residential Zone Condition

In an EC zone if a **lot** is used for **public parking** and it abuts a **lot** in a Residential zone category:

- (A) access to the **public parking** may not be through any part of a **lot** in a Residential zone category;
- (B) any part of a **lot line** abutting a **lot** in a Residential zone category must be fenced; and
- (C) an area used for the parking or storage of a **vehicle** must be at least 3.0 metres from a **lot line** that abuts a **lot** in a Residential zone category.

(13) Public Parking Use- Attendant Shelter Condition

In an EC zone, if a **lot** used for **public parking**, one **ancillary building** for attendants is permitted if it is:

- (A) a maximum height of 4.0 metres, including all mechanical equipment;
- (B) a maximum **interior floor area** of 5.0 square metres; and
- (C) at least 6.0 metres from a **lot line** abutting a **street**.

(14) Drive-Through Facility Condition

In an EC zone a **drive-through facility** is permitted if:

- (A) it is used in association with another permitted use in an EC zone; and
- (B) the **lot** has frontage on a **street** as shown on the Major **Streets** Overlay Map.

(15) Ancillary Showroom Use Condition

In an EC zone an **ancillary showroom** is permitted if it complies with the **interior floor area** or **floor space index** regulations pertaining to the permitted principal use.

(16) Outdoor Patio Condition

In an EC zone, an **ancillary outdoor patio** is permitted if:

- (A) the patio is not closer to a **lot line** than the required minimum setback for a principal **building**.
- (B) the patio does not occupy more than 20% of the **front yard**;
- (C) the patio is not located on land required for parking, loading, **driveways** or **landscaping**;
- (D) the patio is not used to provide entertainment uses such as music and dancing;
- (E) the entire patio is at least 10.0 metres from a **lot** in a Residential zone category; and
- (F) the patio is located on a roof, or on a platform that is higher than 0.6 metres above **average grade**, it must be at least 40.0 metres, measured horizontally, from a **lot** in a Residential zone category or a Residential Apartment zone category.

(17) Outdoor Sales or Display Condition

In an EC zone, **ancillary** outdoor sales or display of goods or commodities is permitted if:

- (A) no goods or commodities are closer to a **lot line** than the minimum required **building setback** for the yard in which the goods or commodities are located;
- (B) the cumulative area used for the outdoor display or sale of goods or commodities is not more than 280 square metres; and
- (C) the area for the outdoor display or sale of goods or commodities is not located on a portion of the **lot** that is required for parking, loading, **driveways** or **landscaping**.

(18) Vehicle Service Shop

A **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(19) Vehicle Dealership

A **vehicle dealership** must comply with the specific use regulations in Section 150.90.

(20) Vehicle Fuel Station

A **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(21) Vehicle Washing Establishment

A **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.

(22) Eating Establishment

An **eating establishment** must comply with the specific use regulations in Section 150.100.

(23) Drive-in Eating Establishment

A **drive-in eating establishment** must comply with the specific use regulations in Section 150.100.

(24) Take-out Eating Establishment

A **take-out eating establishment** must comply with the specific use regulations in Section 150.100.

(26) Drive-through

A drive-through must comply with the specific use regulations in Section 150.80.

(27) Vehicle Fuel Station with Other Uses Condition

In an EC zone, a combination of a **retail store**, **eating establishment**, or **take-out eating establishment** may only remain on a **lot** with a **vehicle fuel station**, if:

- (A) the type of **retail store** is limited to a convenience store only;
- (B) the total interior floor area devoted to the **vehicle fuel station**, **retail store**, **eating establishment** or **take-out eating establishment** does not exceed 200 square metres; and
- (C) the convenience store can only remain on the **lot** as long as the **vehicle fuel station** use exists.

For the purposes of this regulation a convenience store means a **premises** which sells products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines.

60.50.30 Lot Requirements

60.50.30.20 Frontage

(1) Minimum Lot Frontage for Lots in a EC zone

In an EC zone, the minimum **lot frontage** is 15.0 metres.

60.50.30.200 Exemptions

(1) Existing Lot Frontage Exemption for Lots in an EC zone

If on the date of enactment of this bylaw, in an Employment Commercial Zone (EC), an existing **lot** complied with the applicable former zoning bylaw for **lot frontage**, or has a **lot frontage** that was permitted by a section 45 Planning Act minor variance and that lawfully existing **lot frontage** is less than the **lot frontage** required by this bylaw, then the minimum **lot frontage** for that existing **lot** is its **lot frontage** on the date of enactment of this bylaw.

60.50.40 Principal Building Requirements

60.50.40.10 Height

(1) Maximum Permitted Height - EC Zone

If a **lot** in a EC zone is in an area that has:

- (A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 28.0 metres; and
- (B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an EC zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 2.0 metres

60.50.40.70 Setbacks

(1) Minimum Front Setback for Lots in a EC Zone

In an EC zone, the minimum setback of a **building** or **structure** from the **front lot line** is 9.0 metres.

(2) Minimum Side Setback for Lots in a EC Zone

In an EC zone, the minimum **building setback** from a **side lot line**:

- (A) that does not abut a **street**, is:
 - (i) 3.0 metres if the **lot frontage** is less than 30.0 metres;
 - (ii) 4.5 metres if the **lot frontage** is from 30.0 metres to less than 60.0 metres; and
 - (iii) 6.0 metres in all other cases; and
- (B) that abuts a **street**, is 9.0 metres.

(4) Minimum Rear Setback for Lots in a EC Zone

In an EC zone, the minimum setback of a **building** or **structure** from the **rear lot line** is 7.5 metres.

(5) Minimum Setback for Lots in a EC Zone abutting a Residential Zone

In an EC zone, the minimum setback of a **building** or **structure** from a **lot line** that abuts a **lot** in a Residential zone category is 15.0 metres.

60.50.40.200 Exemptions

(1) Existing Front, Side and Rear Lot Setback Exemptions for Buildings in an EC zone

If on the date of the enactment of this By-law, a lawfully erected **building** in the Employment Commercial Zone (EC), complied with the applicable former zoning

bylaw for **building setbacks** or has a **building setback** that was permitted for this **building** by a section 45 Planning Act minor variance, and is now set back from a **front lot line, rear lot line** or any **side lot line** less than that required by this By-law, then the minimum **front yard building setback, rear yard building setback** or **side yard building setback** for that existing **building** is the greater of:

- (A) the actual **building setback** from the **front lot line, rear lot line** or **side lot line** that lawfully existed on the date of the enactment of this By-law; or
- (B) the **building setback** from the **front lot line, rear lot line** or **side lot line** required by the Employment Office Zone; and

Despite (A) and (B), any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(2) Existing Gross Floor Area Exemption in an EC Zone

If on the date of enactment of this bylaw, in an Employment Industrial Commercial Zone (EC), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **gross floor area**, or has a **gross floor area** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **gross floor area** is greater than the **gross floor area** permitted by this bylaw, then the maximum **gross floor area** for that existing **building** or **structure** is its **gross floor area** on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(3) Existing Height Exemption in an EC Zone

If on the date of enactment of this bylaw in a Employment Industrial Commercial Zone (EC), a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by Clause 60.50.40.10 of this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this bylaw; any addition, extension or alteration to the **building** must comply with all the applicable requirements of this by-law.

(4) Setback Exemption- Below-grade Parking and Loading in an EC Zone

In an EC zone, the portion of a **building** used for parking or loading which is below grade is not required to comply with the minimum front, side, or rear setback requirements.

60.50.50 Yards

60.50.50.10 Landscaping

(1) Soft Landscaping - Front Yard Minimum

In an EC zone, a minimum of 50% of the **front yard** must be used for **soft landscaping**.

(2) Soft Landscaping- Street Lot Line Requirement

In an EC zone, any **lot line** abutting a **street** must have a minimum 3.0 metre wide strip of **soft landscaping** along the entire length of the **lot line**, excluding those lands used for **driveways** and walkways.

60.50.60 Ancillary Buildings and Structures

60.50.60.10 Location

(1) Location of Ancillary Buildings in an EC Zone

In an EC zone:

- (A) an **ancillary building** or **structure** may not be located in a **front yard**;
- (B) an **ancillary building** or **structure** is subject to the minimum front, side, and **rear yard building setbacks** established for principal **buildings** in an EC zone; and
- (C) an **ancillary building** or **structure** used for the purpose of a gatehouse or other security purpose is not subject to (A) or (B) above.

60.50.60.200 Exemptions

(1) Existing Ancillary Building Exemption in an EC Zone

If an **ancillary building** or **structure** on a **lot** in an EC zone on the date of the enactment of this By-law was lawfully located in the **front yard**, or in a required **building setback** in an EC zone, the **ancillary building** or **structure** may remain if the use to which it is **ancillary** remains.

60.50.80 Parking

60.50.80.200 Exemptions

(1) Existing Parking Space Deficiency Exemption in an EC Zone

If on the date of the enactment of this By-law a **lot** in an Employment Industrial Commercial Zone (EC), contains uses in compliance with the applicable former zoning bylaw, and provided **parking spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance, and the number of those **parking spaces** lawfully existing on the date of the enactment of this By-law is less than the number required by this By-law, then the number of **parking spaces** that existed on the **lot** for that use, on the date of the enactment of this by-law, is the minimum number of **parking spaces** required for that use; if there is:

- (A) an increase in the **interior floor area** for that use, **parking spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **parking spaces** must be provided in accordance with the requirements of this By-law.

60.50.90 Loading

60.50.90.10 Location

(1) Location of Loading Space in an EC Zone

In an EC zone, a **loading space** may not be located in a **front yard**.

60.50.90.40 Access to Loading Space

(1) Access to Loading Space on a Lot in an EC Zone

In an EC zone:

- (A) if a **lot** abuts a **lane**, access to a **loading space** must be from the **lane**;
- (B) if a **corner lot** does not abut a **lane** and it has at least one **lot line** abutting a **street** which is not a **street** identified on the Major **Streets** Overlay Map, access to a **loading space** must be from the **street** which is not a major **street**; and

(C) if a **lot** is not a **lot** described in (A) or (B), access to a **loading space** must be from the **street** on which the **lot** fronts.

60.50.90.200 Exemptions

(1) Existing Loading Space Exemption for Buildings in an EC Zone

In an EC zone, if a **building** existing on the **lot** on the date of the enactment of this By-law has a **loading space** lawfully located within the **front yard**, that **loading space** may remain.

(2) Existing Access to Loading Space Exemption for Buildings on Lots in an EC Zone

In an EC zone, if an existing **building** on a **lot** on the date of the enactment of this By-law has a lawful access to a **loading space** that does not comply with section 60.50.90.40 (1), the access may remain.

(3) Existing Loading Space Deficiency Exemption in an EC Zone

If on the date of the enactment of this By-law a **lot** in an Employment Industrial Commercial Zone (EC), contains uses in compliance with the applicable former zoning bylaw, and provided **loading spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance and the number of those **loading spaces** lawfully existing on the date of the enactment of this By-law is less than that required by this By-law, then the number of **loading spaces** that existed on the **lot** on the date of the enactment of this By-law is the minimum number of **loading spaces** required for that use; if there is:

- (A) an increase in the **interior floor area** for that use, **loading spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **loading spaces** must be provided in accordance with the requirements of this By-law.

Chapter 80 Institutional

80.5 Regulations applying to the Institutional Zone Category

80.5.1 General

80.5.1.10 Interpretation

- (1) Application of General Regulations Section

The regulations contained in Section 80.5 apply to all lands, uses, **buildings** and **structures** in the Institutional Zone Category.

- (2) Interpretation of the Institutional Zone Symbol

The zone symbol shown on the Zoning By-law Map for Institutional zones identifies the specific zone applicable to the lands and represented by letters as follows:

Symbol Land Use Zone Description

I Institutional General

IE Institutional - Educational

IH Institutional - **Hospital**

IS Institutional - School

IPW Institutional – Place of Worship

80.5.20 Permitted Uses

80.5.20.10 Principal Use

- (1) Uses Permitted in all Institutional Zones

In addition to the uses permitted in Clause 5.10.20.30, the following uses are permitted in all institutional zones:

Municipal Shelter* (Section 150.22)

80.5.20.20 Principal Use - Conditional

- (1) Access to Non-Residential Uses when Adjacent to a Lot in a Residential Zone Category - Restriction on Sole Access from a Lane or Shared Private Right-of-Way:

A **lot** in an Institutional Zone Category may not be used if it does not front on a **street** and has its only access from a **lane** or private right-of-way that abuts a **lot** in a Residential Zone Category.

80.5.20.40 Permitted Building Types

- (1) Permitted Building Types

A **building** is permitted if it is not a **residential building**.

80.5.40 Principal Building Requirements

80.5.40.10 Height

(1) Calculation of Building Height

In the Institutional Zone category, **building** height is the difference in elevation between the average elevation of the **front lot line** and the elevation of the highest part of the **building**, excluding permitted encroachments above the height limit.

80.5.60 Ancillary Buildings and Structures

80.5.60.10 Location

(1) Ancillary Building Location Restriction

Unless otherwise regulated, an ancillary **building** may not be located in a **front yard**.

80.5.60.20 Setbacks

(1) Separation of Building from a Lot in a Residential Category and Residential Apartment Zone Category

In an Institutional Zone category, an **ancillary building** with a height of more than 4.0 metres, must be set back from a side or **rear lot line** at least :

- (A) 3.0 metres, if the **lot line** that abuts a **lot** in a Residential Zone category or Residential Apartment zone category; and
- (B) one-half the height of the **ancillary building** in all other cases.

80.5.75 Energy Regulations

80.5.75.1 General

(1) Renewable energy or cogeneration energy device - Location restriction

On **lot** in an Institutional Zone Category, a device producing **renewable energy** or **cogeneration energy** may not be in a **front yard** or **side yard** that abuts a **street**.

(2) Renewable Energy Device - Height regulations

In an Institutional Zone category, if a photovoltaic **solar energy** device or a thermal **solar energy** device is:

- (A) located on a principal **building**;
 - (i) it must comply with all the minimum set back requirements for a principal **building**; and
 - (ii) it must have no part of the device more than 2.0 metres higher than the maximum height permitted for a principal **building** excluding any other permitted encroachments into the height limit; and
- (B) not located on a principal **building**, the device must comply with all zoning by-law regulations applicable to an **ancillary building** or **structure**.

(3) Wind Energy Device - setbacks

On **lot** in an Institutional Zone Category, all parts of **wind energy** device must comply with the minimum setback requirements for a principal **building**.

(4) Wind Energy Device - Height Restriction

On **lot** in an Institutional Zone Category, no part of the **wind energy** device may exceed the maximum height permitted for a principal **building** by more than:

- (A) 3.0 metres if:
 - (i) the **wind energy** device is on a **lot** that abuts a **lot** in a residential zone category; or
 - (ii) the principal **building** is less than 25 metres in height

(B) 5.0 metres in all other cases

(5) Geo-energy Requirements

On **lot** in an Institutional Zone Category, any above-ground part of a **geo energy** device must comply with the all the requirements of an **ancillary building** or **structure** on a **lot** in the zone.

(6) Cogeneration Device

On **lot** in an Institutional Zone Category, a **cogeneration energy** device may only be located inside a permitted principal **building**.

80.5.80 Parking

80.5.80.10 Location

(1) Off-Site Parking

In a Institutional zone category a required **parking space** must be located on the **lot** that contains the use for which it is required.

80.5.80.30 Separation

(1) Parking Separation from lot line

On **lot** in an Institutional Zone Category, an area used for the parking or storage of 3 or more **vehicles** must be separated by a minimum 1.5 metres wide strip of **soft landscaping** from a **lot line** that abuts a **street** or **lane**.

(2) Parking Restriction When Abutting Residential

If a **lot** in an institutional zone category abuts a **lot** in a residential zone category, an area used for the parking or storage of 3 or more **vehicles** may be located in a rear or **side yard** if, a fence is constructed along the part of the **lot line** that abuts the **lot** in the residential zone category.

80.5.80.40 Access to Parking Space

(1) Drive Aisle Widths

Within a parking area the following **drive aisle** widths apply:

(A) if the centreline of a **parking space** is at an (interior) angle of 70 to 90 degrees to the centreline of the **drive aisle** providing access, the minimum width for that one or two **lane drive aisle** is 6.0 metres;

(B) if the centreline of a **parking space** is at an (interior) angle from 50 to less than 70 degrees to the centreline of the **drive aisle** providing access, the minimum width for that **drive aisle** is 5.5 metres for each **lane**;

(C) if the centreline of a **parking space** is at an (interior) angle of less than 50 degrees from the centreline of the **drive aisle** providing access, the minimum width for that **drive aisle** is 4.0 metres for each lane

80.5.100 Access to Lot

80.5.100.10 Location

(2) Driveway Access to a Lot - Landscape Area Exemption

On **lot** in an Institutional Zone Category, a **driveway** providing direct access from a

street or **lane** may cross a required **landscaped** area if the centre line of the part of the **driveway** crossing the required **landscaped** area is within 10 degrees of perpendicular to the part of the **lot line** over which access is taken.

(4) Non-Residential Parking Areas adjacent to a Lot in a Residential Zone Category

If a **lot** in a Institutional Zone category abuts a **lot** in a Residential zone category :

(A) access to a **parking space** may not be through any part of a **lot** in a Residential zone category;

(B) any part of a **lot line** abutting a **lot** in a Residential zone category must be fenced; and

(C) a **parking space** may not be within 1.5 metres to a **lot line** that abuts a **lot** in a Residential zone category.

(6) Loading Restrictions Adjacent to a Lot in a Residential Zone Category

An **ancillary loading space** is permitted on a **lot** in a Institutional Zone category that abuts a **lot** in a Residential Zone Category if:

(A) access to the **loading space** is not across any part of a **lot** in a Residential Zone Category; and

(B) any part of a **lot line** abutting a **lot** in a Residential Zone Category is fenced.

80.10 Institutional General Zone (I)

80.10.1 General

80.10.1.1 Purpose of the Zone

(1) Purpose of the Institutional 'I' zone

The purpose of the Institutional General 'I' zone is to permit a variety institutional uses.

80.10.1.10 Interpretation

(1) Interpretation of the Zone String

The 'I' zone symbol shown on the Zoning By-law Map identifies lands that must comply with the regulations applicable to the Institutional general zone.

If the zone symbol is followed by brackets containing 'd' followed by a numerical value, or a 'cv' followed by a numerical value, or both, the number following the 'd' indicates the maximum **floor space index** (FSI) permitted on a **lot** and the number following the 'cv' indicates the maximum **lot coverage** permitted.

80.10.20 Permitted Uses

80.10.20.10 Principal Use

(1) Principal Use – I Zone

The following principal uses are permitted in an I Zone:

Art Gallery*

Club*
Community Centre*
Crisis care shelter*
 Educational Facility Religious*
Group Home*
 Library
Municipal Shelter
Museum*
Nursing Home*
Place of Worship*
 Recreational Use*
Religious Residence*
Respite Care Facility*
Residential Care Home*
Retirement Home*

*This is a defined term in Chapter 800 of this By-law.

80.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – I Zone

The following principal uses are permitted in an I Zone, if they comply with the specific conditions set out for each use in Clause 80.10.20.100 and in Chapter 150 Specific Use Regulations:

Day Nursery* (6)
 Drive-through*
Eating Establishment* (2)(7)
Eating Establishment, Take-out* (2)(7)
Financial Institution* (3)
Personal Service Shop* (4)
Place of Assembly, Social/Cultural (5)
Private School* (9)
Public School* (9)
Public Parking*(1)(8)
Retail Store* (2)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.10.20.100

80.10.20.30 Ancillary Use

(1) Ancillary Use – I Zone

In addition to the uses permitted in Clause 5.10.20.30, in an I Zone, the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 80.10.20.100 and in Chapter 150 Specific Use Regulations:

Office

Parking Space

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.10.20.100

80.10.20.100 Conditions

(1) Public Parking Abutting a Lot in a Residential Zone Category

If a **lot** in an I Zone is used for **Public Parking** and the **lot** abuts a **lot** in a Residential zone category:

(A) access to the **Public Parking** use may not be through any part of a **lot** in a Residential zone category; and

(B) the requirements of Clause 80.5.80.30 apply.

(2) 2 - Retail Store and Eating Establishment - Condition

In an I Zone:

(A) the **interior floor area** for each **retail store** and each **eating establishment** may not be more than 465 square metres; and

(B) the total cumulative **interior floor area** used for all **retail stores** and **eating establishments** on a **lot**, may not be more than 0.3 times the area of the **lot**.

(3) 3 – Financial Institution - Condition

A **financial institution** use is permitted on a **lot** in an I Zone if it is not more than (250) square metres in **gross floor area**.

(4) 4 – Personal Service Shop - Condition

A **personal service shop** use is permitted on a **lot** in an I Zone if it is not more than (250) square metres in **gross floor area**.

(5) 5 – Place of Assembly - Condition

A **place of assembly** is permitted on a **lot** in an I Zone if the **Interior Floor Area** is not more than the lesser of:

- (A) (4000) metres squared; or
- (B) 75% of the ground floor area of the **building**.

(6) 6 – Day Nursery - Condition

A **day nursery** use is permitted on a **lot** in an I Zone if it is located entirely below the second floor.

(7) Size Restriction on Eating Establishments Near or Abutting a Residential Lot

If a **lot** in an I Zone is within 6.1 metres of a **lot** in a Residential zone category, the total **interior floor area** of all **Eating Establishments** and **Take-out Eating Establishments** is not to exceed 400 square metres.

(8) Public Parking - Attendant Shelter

On a **lot** used for **Public Parking** in an I Zone may have one **building** for attendants with:

- (A) a maximum height of 4.0 metres, including all mechanical equipment;
- (B) a maximum **gross floor area** of 5.0 square metres; and
- (C) a minimum setback of 6.0 metres from any **lot line** abutting a **street**.

(9) Public School or Private School

In an I zone, a **public school** and **private school** must also comply with the applicable requirements of Section 150.48.

80.10.30 Lot Requirements

80.10.30.20 Frontage

(1) Lot Frontage

In an I Zone, the minimum **lot frontage** is 20.0 metres

80.10.30.40 Coverage

(1) Lot Coverage

If an I Zone does not contain a specific 'cv'-value, the maximum **lot coverage** permitted is 35%.

80.10.40 Principal Building Requirements

80.10.40.10 Height

(1) Height of Building or Structure

If a **lot** in a I zone is in an area that has:

- (A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 15.0 metres; and
- (B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an I zone has a **green roof**, a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 2.0 metres

80.10.40.40 Floor Area

(1) Gross Floor Area Limitation

If an I Zone does not contain a specific 'd'-value, the maximum **gross floor area** permitted on the **lot** is equal to a **floor space index** value of 1.5.

80.10.40.50 Amenity Space

(1) Amenity Space Requirement

If a **building** in an I zone contains a **dwelling unit** or **bed-sitting room**, **amenity space** must be provided:

- (i) at a minimum rate of 0.9 square metres for each dwelling room and **bed-sitting room**; and
- (ii) a minimum of 75% of the **amenity space** must be in the principal **building**.

80.10.40.60 Permitted Encroachments

(1) Canopy Encroachments

If a canopy or awning on a **building** in an I zone is less than 5.0 metres above the level of the ground directly below it, it may encroach into a required yard setback a maximum of 4.0 metres.

80.10.40.70 Setbacks

(1) Setback from all lot lines

In an I zone, the minimum **building setback** for a principal **building** or **structure** from a **lot line** is the distance equal to 1/2 the height of the principal **building**.

80.10.50 Yards

80.10.50.10 Landscaping

(1) Front Yard Landscaping

In an I Zone, the entire **front yard** not used for **driveway** access must be **landscaped** and a minimum of 75 percent of the **front yard landscaped** area must be **soft landscaping**.

(2) Soft Landscaping Requirement

In an I zone, a minimum of 50 % of the area of the **lot** must be used for **soft landscaping**.

80.10.50.30 Outdoor Storage / Outdoor Activity

(1) Restriction on Outside storage

No outside storage is permitted in an I zone.

80.10.60 Ancillary Buildings and Structures

80.10.60.20 Setbacks

(1) Setback from a Street

In an I Zone, no part of an **ancillary building** or **structure** may be closer to a **lot line** that abuts a **street** than the principal **building** on the **lot**.

(2) Setback for Ancillary Buildings

In an I zone, the minimum **building setback** for an **ancillary building** or **structure** from a **lot line** that does not abut a **street**, is a distance equal to 1/2 the height of the **ancillary building** of **structure**.

80.10.150 Waste

80.10.150.1 General

(1) Waste Storage

In an I Zone, a **building** containing waste material or **recyclable material** may not be in a **side yard** that abuts a **street** or in a **front yard**.

(2) Storage of Waste

In an I Zone, all waste must be stored in a wholly enclosed **building** and must be a minimum of :

- (i) 7.5 metres from a **lot** in a residential zone category, or open space zone category; and
- (ii) 1.0 metres from all other **side lot lines** or **rear lot lines**.

80.20 Institutional Hospital Zone (IH)

80.20.1 General

80.20.1.1 Purpose of the Zone

(1) Purpose of the IH - Zone

The purpose of the Institutional **Hospital** 'IH' zone is to accommodate a **hospital** and other specific uses that are directly related, complementary or **ancillary** to the operation of the **hospital**.

80.20.1.10 Interpretation

(1) Interpretation of the Zone String

The 'IH' zone symbol shown on the Zoning By-law Map identifies lands that must comply with the regulations applicable to the Institutional **Hospital** zone.

If the zone symbol is followed by a numerical value, that number indicates the maximum **floor space index** (FSI) permitted on a **lot**.

80.20.20 Permitted Uses

80.20.20.10 Principal Use

(1) Principal Use – IH Zone

The following principal uses are permitted in an IH Zone:

Hospital*

*This is a defined term in Chapter 800 of this By-law.

80.20.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – IH Zone

The following principal uses are permitted in an IH Zone, if they comply with the specific conditions set out for each use in Clause 80.20.20.100 and in Chapter 150

Specific Use Regulations:

Library

Nursing Home* (1)

Residence, Student* (1)

Respite Care Facility* (1)

Retirement Home* (1)

Municipal Shelter* (Section 150.22)

Office (2)

Eating Establishment* (4,11)

Take-out Eating Establishment * (4,11)

Financial Institution* (5)

Automated Banking Machine* (3)

Personal Service Shop* (4,11)

Retail Store* (4,11)

Parking, Public*(6, 10)

Day Nursery* (7)

Crisis Care Shelter (8)

Research **Laboratory*** (9)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.20.20.100

80.20.20.30 Ancillary Use

(1) Ancillary Use – IH Zone

In addition to the uses permitted in Clause 5.10.20.30, in an IH Zone the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 80.20.20.100 and in Chapter 150 Specific Use Regulations:

Education Use*

Parking Space*

Uses **ancillary** to the operation of a **Hospital**

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.20.20.100

80.20.20.100 Conditions

- (1) Nursing Home, Retirement Home, Student Residence, Respite Care Facility Condition

A **nursing home, retirement home, student residence, or respite care facility** is permitted on a **lot** in an IH zone, if the **building** is operated by or on behalf of a **Hospital**.

- (2) Office Condition

An office is permitted on a **lot** in an IH zone, if the **building** in which it is located is operated by or on behalf of a **Hospital**.

- (3) Automated Banking Machine Condition

An **Automated Banking Machine** in an IH Zone, must be located within the main **building** containing the **Hospital**.

- (4) 4 - Retail Store, Personal Service Shop and Eating Establishment Condition

A **retail store, personal service shop or eating establishment** is permitted in an IH Zone if:

- (A) these uses are located in the same **building** as the **hospital**;
- (B) the **interior floor area** for each **retail store, personal service shop or eating establishment** is not more than 150 square metres;
- (C) the total cumulative **interior floor area** used for all **retail stores, personal service shops and eating establishments**, is not more than 30% of the ground floor area of the **building**; and
- (D) Clauses (B) and (C) do not apply to an **ancillary** cafeteria.

- (5) 5 – Financial Institution Condition

A **financial institution** is permitted in an IH Zone if:

- (A) it is located in a **building** containing a **Hospital**; and
- (B) the **interior floor area** of the **financial institution** is not more than 150 square metres.

- (6) Public Parking - Attendant Shelter

A **lot** used for **Public Parking** in an IH Zone may have one **building** for attendants with:

- (A) a maximum height of 4.0 metres, including all mechanical equipment;
- (B) a maximum **gross floor area** of 5.0 square metres; and
- (C) a minimum setback of 6.0 metres from any **lot line** abutting a **street**.

- (7) 7 – Day Nursery Condition

An **Day Nursery** is permitted on a **lot** in an IH zone, if it is located in a **building** that also contains a **hospital**.

- (8) 8 – Crisis Care Shelter Condition

A **crisis care shelter** is permitted on a **lot** in an IH zone, if the **lot** has a minimum permitted **floor space index** of 7.0 or larger.

- (9) 9 – Research Laboratory Condition

A research **laboratory** is permitted on a **lot** in an IH zone if:

- (A) it is operated by, or is in association with, a **Hospital**; or
- (B) the research is limited to (human) medical or health sciences.

(10) Public Parking Abutting a Lot in a Residential Zone Category

If a **lot** in an IH Zone is used for **Public Parking** and the **lot** abuts a **lot** in a Residential zone category:

- (A) access to the **Public Parking** use may not be through any part of a **lot** in a Residential zone category; and

- (B) the requirements of Clause 80.5.80.30 apply.

(11) Size Restriction on Eating Establishments Near or Abutting a Residential Lot

If a **lot** in an IH zone is within 6.1 metres of a **lot** in a Residential zone category, then access to a **Retail Store, Personal Service Shop, Eating Establishment or Take-out Eating Establishment** must be only from inside the **building**.

80.20.30 Lot Requirements

80.20.30.20 Frontage

(1) Minimum Lot Frontage

The minimum required **lot frontage** in an IH zone is 30 metres.

80.20.40 Principal Building Requirements

80.20.40.10 Height

(1) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an IH zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 2.0 metres

80.20.40.40 Floor Area

(1) Maximum Floor Area

If an IH zone does not contain a specific 'd'-value, the maximum **gross floor area** permitted on the **lot** is equal to a **floor space index** value of 0.75.

80.20.40.60 Permitted Encroachments

(1) Helicopter Landing Pad

In an IH Zone, if a permitted helicopter landing pad is located on the roof of a **building** used as a **hospital**, the landing pad may encroach a maximum of (3.0) metres above the maximum principal **building** height if, the highest element of the landing pad is also not more than (3.0) metres above the finished surface level of the roof on which the landing pad is located.

(2) Permitted Encroachments into Required Yards - Access Ramp and Elevating Device

In an IH Zone:

- (A) An uncovered ramp providing barrier-free access to a principal **building** or **structure** may encroach into a required yard setback, if it:

- (i) has a length not more than 12 horizontal units for each 1.0 vertical unit above

- finished grade at the point where the ramp meets the **building** or **structure**;
- (ii) has a maximum width of [1.5] metres for each sloped ramp segment; and
- (iii) is at least 0.6 metres to a **lot line**.

(B) An elevating device providing barrier-free access to a principal **building** or **structure** may be located in a required yard setback, if it:

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

(3) Canopy Encroachments

If a canopy or awning on a **building** in an IH zone is less than 5.0 metres above the level of the ground directly below it, it may encroach into a required yard setback a maximum of 4.0 metres.

(4) Permitted Encroachments into Required Yards - Canopies and Awnings

In an IH Zone, if more than 5.0 metres above the level of the ground directly below, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required yard setback for a principal **building** a maximum of 2.5 metres if, it may not be closer to a **lot line** than 0.6 metres.

80.20.40.70 Setbacks

(1) Minimum Front Yard Setback in an IH Zone

The minimum **front yard setback** for a **lot** in an IH zone is:

- (A) zero metres if the **lot** is in the Policy Area 1 (PA1); and
- (B) 7.5 metres in all other cases.

(2) Rear Yard Setback - Institutional Use

In an IH Zone, the minimum **rear yard setback** is:

- (A) the greater of 7.5 metres and 0.5 times the height of the **building**, if the **rear lot line** abuts a **lot** in a residential zone category; and
- (B) 7.5 metres in all other cases.

(3) Side Yard Setback - Institutional Uses

The minimum **side yard setback** for a **lot** in an IH zone is:

- (A) if the **lot** is located in Policy Area 1 (PA1):
 - (i) zero metres if the **side lot line** does not abut a **lot** in a residential zone category; and
 - (ii) the greater of 7.5 metres and 0.5 times the height of the **building**, if the **side lot line** abuts a **lot** in a residential zone category; and
- (B) if the **lot** is not located in the Policy Area 1 (PA1):
 - (i) 7.5 metres if the **side lot line** abuts a **street**; and
 - (ii) in all other cases, the greater of 7.5 metres and 0.5 times the height of the **building**.

80.20.60 Ancillary Buildings and Structures

80.20.60.1 General

(1) Lot Coverage Ancillary Buildings

In an IH Zone, the maximum **lot coverage** for **ancillary buildings** and **structures** is 15% of the **lot area**.

80.20.60.20 Setbacks

(1) Setback for an Ancillary Building or Structure

In an IH zone an **ancillary building** or **structure** may not be closer to a **side lot line** or **rear lot line**, that does not abut a **street**, than the greater of 1.5 metres and one-half the height of the **ancillary building** or **structure**.

(2) Setback from a Street

In an IH zone, no part of an **ancillary building** or **structure** may be closer to a **lot line** that abuts a **street** than any **main wall** of the **building** on the **lot**.

80.20.80 Parking

80.20.80.20 Setbacks

(1) Setback Requirements for Parking Spaces

An area on a **lot** in an IH zone used for the parking or storage of **vehicles** must be setback a minimum of 10.0 metres from a **lot line** that abuts a **lot** in a residential zone category.

80.20.150 Waste

80.20.150.1 General

(1) Storage of Waste

In an IH Zone, all waste must be stored in a whole enclosed **building** and must be a minimum of 7.5 metres from a **lot** in a residential zone category, or open space zone category.

(2) Waste Storage

A **building** containing waste material or **recyclable material** may not be in a **side yard** that abuts a **street** or in a **front yard**.

80.30 Institutional Education Zone (IE)

80.30.1 General

80.30.1.1 Purpose of the Zone

(1) Purpose of the Institutional Educational 'IE' zone

The purpose of this IE zone is to accommodate a post secondary educational facilities in a campus setting with other uses that are considered to be directly related, complementary or **ancillary** to the operation of the post secondary educational facility.

80.30.1.10 Interpretation

(1) Interpretation of the Zone String

The 'IE' zone symbol shown on the Zoning By-law Map identifies lands to comply with the regulations applicable to the Institutional Education zone.

If the zone symbol is followed by a numerical value, that number indicates the maximum **floor space index** (FSI) permitted on a lot.

80.30.20 Permitted Uses

80.30.20.10 Principal Use

(1) Principal Use – IE Zone

The following principal uses are permitted in an IE Zone:

Residence, Student*

Art Gallery*

Club*

Museum*

Place of Worship*

Place of Assembly*

Performing Arts Studio*

Library

Educational facility, Religious*

School, Post Secondary*

Production Studio*

*This is a defined term in Chapter 800 of this By-law.

80.30.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – IE Zone

The following principal uses are permitted in an IE Zone, if they comply with the specific conditions set out for each use in Clause 80.30.20.100 and in Chapter 150 Specific Use Regulations:

Rooming House* (1)

Software Development and Processing* (2)

Office (3)

Eating Establishment* (4)(13)

Eating Establishment, Take-out* (4)(13)

Financial Institution* (5)

Personal Service Shop* (6)

Place of Assembly, Entertainment* (7)

Place of Assembly, Sports* (7)

Retail Store* (8)

Parking, Public*(12)(14)

Day Nursery* (9)

Community Centre* (10)

Research **Laboratory*** (11)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.30.20.100

80.30.20.30 Ancillary Use

(1) Ancillary Use – IE Zone

In addition to the uses permitted in Clause 5.10.20.30, in an IE Zone the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 80.30.20.100 and in Chapter 150 Specific Use Regulations:

Outdoor University Uses

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.30.20.100

80.30.20.100 Conditions

(1) 1 – Rooming House Condition ?

A **rooming house** use is permitted in an IE zone if it is operated by a fraternity or sorority organization recognized by the associated educational institution and is used as a means of providing housing for students who are members of that organization.

(2) 2 – Software Development and Processing Condition

A **software development and processing** use is permitted in an IE zone, if it is operated by, or is in association with, an educational institution.

(3) 3 – Office Condition

An office is permitted in an IE zone if it is in association with an educational institution.

(4) 4 – Eating Establishment and Take-out Eating Establishment Condition

An **eating establishment** or **take-out eating establishment** is permitted in an IE zone if it is not more than (1,000) square metres in **gross floor area**.

(5) 5 – Financial Institution Condition

A **financial institution** is permitted in an IE zone if it is not more than (500) square metres in **gross floor area**.

(6) 6 – Personal Service Shop Condition

A **personal service shop** is permitted in an IE zone if it is not more than (500) square metres in **gross floor area**.

(7) 7 – Entertainment Place of Assembly and Sports Place of Assembly Condition

A **place of assembly**, entertainment or **place of assembly**, sports is permitted in an IE zone if it is operated by, or is in association with, an educational institution.

(8) 8 – Retail Store Condition

A **retail store** is permitted in an IE zone if it is not more than 500 square metres in **interior floor area**.

(9) 9 – Day Nursery Condition

A **day nursery** is permitted in an IE zone if it is **ancillary** to the educational institution and is not more than 500 square metres in **interior floor area**.

(10) 10 – Community Centre Condition

A **community centre** is permitted in an IE zone if it is operated by an educational institution and is not more than 5000 square metres in **gross floor area**.

(11) 11 – Research Laboratory Condition

A research **laboratory** is permitted in an IE zone if it is operated by, or is in association with, an educational institution.

(12) Public Parking Abutting a Lot in a Residential Zone Category

In an IE Zone, if a **lot** is used for **Public Parking** and the **lot** abuts a **lot** in a Residential zone category:

(A) access to the **Public Parking** may not be through any part of a **lot** in a Residential zone category; and

(B) the requirements of Clause 80.5.80.30 apply.

(13) Size Restriction on Eating Establishments Near or Abutting a Residential Lot

Despite regulations to the contrary, if a **lot** in an IE zone is within 6.1 metres of a **lot** in a Residential zone category, the total **interior floor area** of all **Eating Establishments** and **Take-out Eating Establishments** on a **lot** in the Institutional zone, is not to exceed 400 square metres.

(14) Public Parking - Attendant Shelter

A **lot** used for **Public Parking** in an IE Zone may have one **building** for attendants with:

(A) a maximum height of 4.0 metres, including all mechanical equipment;

(B) a maximum **gross floor area** of 5.0 square metres; and

(C) a minimum setback of 6.0 metres from any **lot line** abutting a **street**.

80.30.30 Lot Requirements

80.30.30.20 Frontage

(1) Frontage Requirement

The minimum **lot frontage** in an IE zone is 20.0 metres.

80.30.30.40 Coverage

(1) Lot Coverage Limitation

In an IE zone the maximum **lot coverage** is 35%.

80.30.40 Principal Building Requirements

80.30.40.10 Height

(1) Height Limitations

If a **lot** in a IE zone is in an area that has:

- (A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 13.0 metres; and
- (B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an IE zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 2.0 metres

80.30.40.70 Setbacks

(1) Setback requirements

In an IE zone the minimum setback from a **lot line** is a distance equal to 1/2 the height of the **building**.

80.30.40.80 Separation

(1) Separation Between Buildings

If two or more **buildings** are on a **lot** in an IE zone, the minimum separation between all **main walls** of any two **buildings** is a distance that is the greater of:

- (i) 20 metres; or
- (ii) 1/2 the total height of the two **buildings**.

80.30.60 Ancillary Buildings and Structures

80.30.60.20 Setbacks

(1) Setback from the Street

In an IE zone, no part of an **ancillary building** or **structure** may be closer to a **lot line** that abuts a **street** than any **main wall** of a principal **building**.

80.30.80 Parking

80.30.80.10 Location

(1) Location Of Parking Spaces

An area on a **lot** in an IE zone used for the parking or storage of **vehicles** may not be located in a **front yard**.

80.30.150 Waste

80.30.150.1 General

(1) Storage of Waste

In an IE Zone all waste must be stored in a wholly enclosed **building** and must be a minimum of 7.5 metres from a **lot** in a residential zone category, or open space zone category.

(2) Waste Storage

In an IE Zone a **building** containing waste material or **recyclable material** may not be located in a **side yard** that abuts a **street** or in a **front yard**.

80.40 Institutional School Zone (IS)

80.40.1 General

80.40.1.1 Purpose of the Zone

(1) Purpose of the Institutional School 'IS' zone

The purpose of this IS zone is to accommodate **Public Schools** and **Private Schools** and the uses that are **ancillary** to the operation of a school as a community resource.

80.40.1.10 Interpretation

(1) Interpretation of the Zone String

The 'IS' zone symbol shown on the Zoning By-law Map identifies lands to comply with the regulations applicable to the Institutional School zone.

if the zone symbol is followed by a numerical value, that number indicates the maximum **floor space index** (FSI) permitted on a **lot**.

80.40.20 Permitted Uses

80.40.20.10 Principal Use

(1) Principal Use – IS Zone

The following principal uses are permitted in an IS Zone:

Private School*

Public School*

Adult Education School

*This is a defined term in Chapter 800 of this By-law.

80.40.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – IS Zone

The following principal uses are permitted in an IS Zone, if they comply with the specific conditions set out for each use in Clause 80.40.20.100 and in Chapter 150 Specific Use Regulations:

Day Nursery* (1)

Community Centre* (2)

Library (3)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.40.20.100

80.40.20.30 Ancillary Use

(1) Ancillary Use – IS Zone

In addition to the uses permitted in Clause 5.10.20.30, in an IS Zone the following **ancillary** uses are permitted if they comply with the applicable regulations set out for the particular use in Clause 80.40.20.100 and in Chapter 150 Specific Use Regulations:

Office

Parking Space*

Portable Classroom

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.40.20.100

80.40.20.100 Conditions

(1) 1 – Day Nursery Condition

A **day nursery** is permitted on a **lot** in an IS zone if:

(A) it is located in a **building** that also contains a **private school** or, a **public school**;
and

(B) the area used as a **Day Nursery** is not more than 40% of the **first floor** area of the principal **building** on the **lot**..

(2) 2 – Community Centre Condition

A **Community Centre** is permitted on a **lot** in an IS zone if:

(A) it is operated by or on behalf of the City of Toronto; or

(B) the **lot** fronts an a **street** shown on the Major **Streets** Overlay Map; and

(C) the **gross floor area** is not greater than 2000 square metres.

(3) 3 – Library Condition

A Library is permitted on a **lot** in an IS zone if:

(A) it is operated by or on behalf of the City of Toronto; or

(B) the **lot** fronts an a **street** shown on the Major **Streets** Overlay Map; and

(C) the **gross floor area** is not greater than 1500 square metres.

80.40.30 Lot Requirements

80.40.30.10 Area

(1) Lot Area

The minimum required **lot area** is 900 square metres

80.40.30.20 Frontage

(1) Minimum Lot Frontage

The minimum required **lot frontage** is 30.0 metres

80.40.30.40 Coverage

(1) School - Lot Coverage

In an IS Zone, the maximum **lot coverage** is

(A) 35% for the principal **building**; and

(B) 55% for all buildings

80.40.40 Principal Building Requirements

80.40.40.10 Height

(1) School - Height

If a **lot** in a IS zone is in an area that has:

(A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 14.0 metres; and

(B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an IS zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 1.2 metres

80.40.40.40 Floor Area

(1) Floor Area

In an IS zone the maximum **gross floor area** of all **buildings** may not be more than 70% of the area of the **lot**.

80.40.40.70 Setbacks

(1) Schools - Minimum Setbacks

In an IS Zone, the following setbacks apply:

(A) 7.5 metres from a **lot line** that abuts a **street**;

(B) 7.5 metres from a **rear lot line**; and

(C) 3.0 metres from a **side lot line**.

80.40.50 Yards

80.40.50.10 Landscaping

(1) Landscaping

If a **lot** in an IS zone abuts a **lot** in a Residential Zone category, a **landscape** strip with a minimum width of 1.5 metres must be located along the entire length of the **lot line**.

(2) Landscaping When Lot Contains a School

In an IS Zone, a **lot** containing a **Public School** or a **Private School** must comply with the following:

(A) a minimum 1.5 metre wide strip of **soft landscaping** must be provided along all side and **rear lot lines**; and

(B) with the exception of areas used for play, **driveways**, parking, loading, student drop-off and pick-up, a minimum 3.0 metre wide strip of land must be provided along the **lot lines** abutting a **street** and used for only **soft landscaping**.

80.40.60 Ancillary Buildings and Structures

80.40.60.1 General

(0) Ancillary Portable Classroom Buildings - Coverage

In an IS Zone, in addition to the **lot coverage** permitted by regulation 80.40.30.40.

(1), an **ancillary** portable classroom **building** is permitted if the **lot area** covered by all **ancillary** portable classroom **buildings** is not more than 50 percent of the **lot area** covered by the principal **building**.

80.40.60.10 Location

(1) Ancillary Portable Classroom Buildings - Location

In an IS Zone, an **ancillary** portable classroom **building** is permitted if it is not located in a **front yard**.

80.40.60.20 Setbacks

(1) Setback from a Street

In an IS zone, no part of an **ancillary building** or **structure** may be located closer to a **lot line** that abuts a **street** than the principal **building** on the **lot**.

(2) Ancillary Portable Classroom Buildings - Setbacks

In an IS Zone, an **ancillary** portable classroom **building** is permitted if it is set back from a **side lot line** or **rear lot line** a distance equal to:

(A) 7.5 metres if the **lot line** abuts a **lot** in a Residential Zone category or Residential Apartment Zone category; and

(B) one-half the height of the **ancillary building** in all other cases.

80.40.60.40 Height

(1) Ancillary Portable Classroom Buildings - Height

In an IS Zone, an **ancillary** portable classroom **building** is permitted if it has a height of less than 4.0 metres.

80.40.80 Parking

80.40.80.1 General

(1) School Parking Lots

In an IS Zone:

(A) An area used for the parking or storage of **vehicles** must be separated from any property line that does not abut a **street** or **lane** by a minimum 1.5 metre wide strip of land used only for **soft landscaping**.

- (B) if an area used for the parking or storage of **vehicles**, is located in a yard that abuts a **lot** in a Residential zone category, a fence must be constructed along the entire portion of the **lot line** that abuts the residential **lot**.

80.40.80.10 Location

(0) Parking Space Location

A **parking space** must be located entirely on the **lot** and only in a **side yard** or **rear yard**.

80.40.80.20 Setbacks

(1) Parking Area

In an IS zone, an area used for the parking or storage of **vehicles** must be setback a minimum of 1.5 metres from a **lot line** that abuts a **lot** in a Residential Zone category

80.40.80.40 Access to Parking Space

(1) Access to Parking Space

In an IS zone, access to a **parking space** may not be through any **lot** located in a Residential Zone category or Residential Apartment Zone category.

80.40.90 Loading

80.40.90.10 Location

(0) Loading Space

If a **loading space** is provided, the **loading space** must be located entirely on the **lot** and only in a **side yard** or **rear yard** that does not abut a **lot** in a Residential Zone category or Residential Apartment Zone category.

80.40.90.40 Access to Loading Space

(1) Access to a Loading Space

In an IS zone, access to a **loading space** may not be through any **lot** located in a Residential Zone category or Residential Apartment Zone category.

80.40.100 Access to Lot

80.40.100.10 Location

(1) School - Pick-Up / Drop-Off Areas

In an IS Zone, a **lot** may not be used for a **Public School** or **Private School** or daycare unless an area for **vehicles** to pick-up and drop-off student is also provided.

80.40.150 Waste

80.40.150.1 General

(1) Storage of Waste

In an IS zone all waste must be stored in a wholly enclosed **building** and must be a minimum of 7.5 metres from a **lot** in a residential zone category, or open space zone category.

80.50 Institutional Place of Worship Zone (IPW)

80.50.1 General

80.50.1.1 Purpose of the Zone

(1) Purpose of the Institutional School 'IPW' zone

The purpose of this IPW zone is to accommodate a **place of worship** and uses that are **ancillary** to the operation of a **place of worship**.

80.50.1.10 Interpretation

(1) Interpretation of the Zone String

The 'IPW' zone symbol shown on the Zoning By-law Map identifies lands that must comply with the regulations applicable to the Institutional **Place of Worship** zone.

If the zone symbol is followed by a numerical value, that number indicates the maximum **floor space index** (FSI) permitted on a **lot**.

80.50.20 Permitted Uses

80.50.20.10 Principal Use

(1) Principal Use – IPW Zone

The following principal uses are permitted in an IPW Zone:

Place of Worship*

Residence, Religious*

Educational Facility, Religious*

*This is a defined term in Chapter 800 of this By-law.

80.50.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – IPW Zone

The following principal uses are permitted in an IPW Zone, if they comply with the specific conditions set out for each use in Clause 80.50.20.100 and in Chapter 150 Specific Use Regulations:

Day Nursery* (1)

Place of Assembly* (2)

Community Centre* (3)

Library (4)

Municipal Shelter* (5) and (Section 150.22)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.50.20.100

80.50.20.30 Ancillary Use

(1) Ancillary Use IPW Zone

In addition to the uses permitted in Clause 5.10.20.30, in an IPW Zone the following **ancillary** uses are permitted if they comply with the applicable regulations for the particular use in Clause 80.50.20.100 and in Chapter 150 Specific Use Regulations:

Office

Parking Space*

Retail Store (6)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 80.50.20.100

80.50.20.100 Conditions

(0) Dwelling Unit Condition

A **place of worship** may contain one **ancillary dwelling unit**, if:

(A) the **lot** abuts a **lot** in a Residential Zone category, Residential Apartment Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category or Institutional Zone category; and

(B) the **dwelling unit** does not have a **gross floor area** of more than 250 square metres.

(1) Day Nursery Condition

A **day nursery** is permitted on a **lot** in an IPW zone if:

(A) it is located in a **building** containing a **place of worship**; and

(B) it is not more than 50% of the **first floor** area of the principal **building**.

(2) Place of Assembly

A **place of assembly** may be permitted on a **lot** in an IPW zone, if the **lot** has a minimum **floor space index** value of 6.0 or greater.

(3) Community Centre Use Condition

A **Community Centre** is permitted on a **lot** in an IPW zone if:

(A) the **lot** fronts on a **street** shown on the Major **Streets** Overlay Map; and

(B) the **gross floor area** of the **building** is not greater than 1000 square metres.

(4) Library Condition

A Library is permitted on a **lot** in an IPW zone if:

(A) the **lot** fronts a **street** shown on the Major **Streets** Overlay Map; and

(B) the **gross floor area** of the **building** is not greater than 200 square metres.

(5) Municipal Shelter Condition

A **Municipal Shelter** is permitted on a **lot** in an IPW zone if:

- (A) it is located in the principal **building** that is also used as a **place of worship**;
- (B) the maximum **interior floor area** used as a **municipal shelter** is not to exceed 50% of the ground floor area of the principal **building**; and
- (C) the **lot** fronts a **street** shown on the Major **Streets** Overlay Map.

(6) Retail Store

In an IPW zone, the maximum **interior floor area** for an **ancillary retail store** is the lesser of:

- (A) 5 percent of the **interior floor area** of the worship area; or
- (B) 25 square metres.

80.50.30 Lot Requirements

80.50.30.20 Frontage

(1) Minimum Lot Frontage

The minimum **lot frontage** required in an IPW Zone is 20 metres.

80.50.30.40 Coverage

(1) Maximum Lot Coverage

The maximum **lot coverage** in an IPW Zone is 40 percent.

80.50.40 Principal Building Requirements

80.50.40.10 Height

(1) Height of Building

If a **lot** in a IPW zone is in an area that has:

- (A) no numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is 15.0 metres; and
- (B) a numerical value shown on the Height Overlay Map, the maximum height of a **building** or **structure** on the **lot** is the numerical value shown on the Height Overlay Map, in metres.

(2) Height of Buildings and Structures - Height Exemption for Specified Structures

If a **building** in an IPW zone has a **green roof**, then a parapet wall used for wind protection for the **green roof** may exceed that maximum **building** height by 1.2 metres

80.50.40.40 Floor Area

(1) Default Floor Space Index When None Assigned

If the zone symbol is not followed by a numerical value, the maximum **gross floor area** permitted of the **lot** is equal to 0.8 times the area of the **lot**.

80.50.40.60 Permitted Encroachments

(1) Encroachments into a Front Yard or Side Yard Abutting a Street

In an IPW zone, an uncovered terrace, an open or roofed porch, or a canopy, may encroach into a **front yard** or a **side yard** abutting a **street**, if no part of it is more than 2.0 metres from the **main wall**.

80.50.40.70 Setbacks

(1) Minimum Setback From a Street

In an IPW Zone the minimum setback from a **lot line** that abuts a **street** is:

(A) 3.0m if the **street** is a **street** shown on the Major **Streets** Overlay Map; and

(B) for all other **streets**, the greater of:

(i) 7.5 metres; or

(ii) a distance equal to half the height of the **building**.

(5) Minimum Side Yard Setback

In an IPW zone, the minimum **building** set back from a **side lot line** that does not abut a **street** is the greater of:

(A) 3.0 metres; or

(B) the distance equal to half the height of the **building**.

(6) Side Yard setback from a street

In an IPW zone the minimum **building setback** from a **side lot line** that abuts a **street** is the greater of:

(A) 6.0 metres; or

(B) the distance equal to half the height of the **building**.

(10) Minimum Rear Yard Setback

In an IPW zone the minimum **rear yard setback** is the greater of:

(A) 7.5 metres; or

(B) the distance equal to half the height of the **building**.

80.50.40.200 Exemptions

(1) Building Setback Exemptions for Existing Building

In an IPW zone, if a **building** used as a **place of worship**, was lawfully constructed prior to the enactment of this By-law, and the **building** is set back from a **front lot line, side lot line** or **rear lot line** less than required by this By-law, those existing setbacks are the minimum required **building setbacks** from the respective **lot lines** for that existing **building** and any addition to that **building** must comply with the **building setback** requirements of this By-law.

(2) Building Height Exemption

A minaret, steeple or similar architectural element on a **place of worship building**, may exceed the height of the principal **building** by 40%, if the area of the minaret, steeple or similar architectural element is not more than 30.0 square metres.

(3) Existing Building Height Exemptions

If on the date of the enactment of this by-law, an existing **place of worship** is located on a **lot** in compliance with the former by-law and the **lot** is now located in a Residential Zone category, Apartment Residential Zone category, Employment Zone category, and the **building** has a minaret, steeple or similar architectural element that exceeds the maximum **building** height permitted by this by-law, the maximum height of the minaret, steeple or similar architectural element is the height that existed on the date of the enactment of this by-law.

80.50.50 Yards

80.50.50.10 Landscaping

(1) Front Yard Landscaping

Despite regulation 5.10.50.10 (1), in an IPW zone, all parts of the **front yard** not used for **driveway** access to the **lot** are to be **landscaped** and a minimum of 75 percent of the **landscaped** area must be **soft landscaping**.

(5) Abutting a Residential Zone Category or Residential Apartment Zone Category

If a **lot** in an IPW zone abuts a **lot** in a Residential Zone category or Residential Apartment zone category, a minimum 1.5 metre wide strip of land used only for **soft landscaping**, must be maintained along the entire length of the common boundary.

80.50.60 Ancillary Buildings and Structures

80.50.60.1 General

(1) Lot coverage - Ancillary Buildings and Structures

In an IPW zone, no more than 15 % of the **lot** may be covered by **ancillary buildings** and **structures**.

80.50.60.20 Setbacks

(1) Setback from the Street

In an IPW zone, no part of an **ancillary building** or **structure** may be closer to a **lot line** that abuts a **street** than the main **building** on the **lot**.

(2) Required Side and Rear Setbacks - Ancillary Buildings and Structures

In an IPW zone, an **ancillary building** and **structure** must be set back from a **rear lot line** or **side lot line** the greater of:

(A) 1.5 metres; or

(B) one-half the height of the **ancillary building** or **structure**.

80.50.80 Parking

80.50.80.10 Location

(1) Parking Space Location Restriction

A **parking space** may not be located in a **front yard**.

80.50.80.40 Access to Parking Space

(1) Access to Parking Space

Access to a **parking space** may not be through any **lot** in a residential zone category or Residential Apartment zone category

80.50.150 Waste

80.50.150.1 General

(1) Waste Storage

In an IPW Zone the storage of waste or **recyclable material** must be in a wholly enclosed **building**.

Chapter 90 Open Space

90.5 Regulations applying to the Open Space Zone Category

90.5.1 General

90.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations contained in Section 90.5 apply to all lands, uses, **buildings** and **structures** in the Open Space Zone Category.

(2) Interpretation of the Open Space Zone Symbol

The zone symbol on the Zoning By-law Map for open space zones consists of the letters O, ON, OR, OG, OM or OC, indicating the primary land use permitted in the respective zone.

90.5.40 Principal Building Requirements

90.5.40.10 Height

(1) Determining the Height of Principal Buildings or Structures

Unless otherwise stated in this By-law, in the open space zone category the height of a principal **building** or **structure** is the distance from the elevation of the **average grade** around its perimeter to the elevation of the highest point on the principal **building** or **structure**.

90.5.40.200 Exemptions

(1) Existing Buildings Not Complying With Maximum Height

If on the date of the enactment of this By-law, in the open space zone category, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by this bylaw, then the maximum **building** height for that existing **building** or **structure** is its height on the date of enactment of this By-law; any addition, extension or alteration to the **building** or **structure** must comply with all the applicable requirements of this by-law.

(2) Existing Buildings Not Complying With Maximum Floor Area

If on the date of enactment of this By-law, in an open space zone category, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **gross floor area**, or has a **gross floor area** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **gross floor area** is greater than the **gross floor area** permitted by this By-law, then the maximum **gross floor area** for that existing **building** or **structure** is its **gross floor area** on the date of enactment of this By-law; any addition, extension or alteration to the **building** or **structure** must comply with all the applicable requirements of this By-law.

(3) Existing Buildings Not Complying With Minimum Yard Setbacks

If on the date of the enactment of this By-law, in the open space zone category, a lawfully erected **building** or **structure** complied with the applicable former zoning

bylaw for **building setbacks** or has a **building setback** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance, and is set back from a **front lot line**, **rear lot line** or any **side lot line** less than that required by this By-law, then the minimum **front yard setback**, **rear yard setback** or **side yard setback** for that existing **building** or **structure** is the greater of:

- (A) the actual **building setback** from the **front lot line**, **rear lot line** or **side lot line** that lawfully existed on the date of the enactment of this By-law; or
- (B) the **building setback** from the **front lot line**, **rear lot line** or **side lot line** required by the open space zone in which the **lot** is located.

90.5.60 Ancillary Buildings and Structures

90.5.60.40 Height

(1) Determining the Height of Ancillary Buildings or Structures

Unless otherwise stated in this By-law, in the open space zone category the height of an **ancillary building** or **structure** is the distance from the elevation of the **average grade** around its perimeter to the elevation of the highest point on the **ancillary building** or **structure**.

90.5.60.200 Exemptions

(1) Existing Ancillary Buildings or Structures Not Complying With Maximum Height

If on the date of the enactment of this By-law, a lawfully erected **ancillary building** or **structure** in the open space zone category has a height greater than that permitted by this By-law, the maximum height for that part of the existing **ancillary building** or **structure** is the height as it lawfully existed on the date of the enactment of this By-law.

(2) Existing Ancillary Buildings or Structures Not Complying With Maximum Floor Area

If on the date of the enactment of this By-law, a lawfully erected **ancillary building** or **structure** in the open space zone category has a floor area greater than that permitted by this By-law, the maximum floor area for that existing **ancillary building** or **structure** is the floor area that lawfully existed on the date of the enactment of this By-law.

90.5.75 Energy Regulations

90.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device - Location Restriction

In the open space zone category, a device used to produce **renewable energy** or **cogeneration energy** if located on the ground, must not be located closer to a **lot line**, than the greater of:

- (A) 10 metres;
- (B) the minimum required setback for a principal **building** on the **lot**; or
- (C) a distance, equal to the height of the device, measured between the elevation of the ground at its base to the elevation of the highest part of the device.

(2) Renewable Energy Device - Height Regulations

In the open space zone category, if a photovoltaic energy device or a thermal **solar energy** device is:

(A) located on a principal **building**,

- (i) it must comply with all the minimum setback requirements for a principal **building**, and
- (ii) no part of the device is to be more than 3.0 metres higher than the maximum height permitted for a principal **building** excluding any other permitted encroachments into the height limit; or

(B) not located on a principal **building**, no part of the device is to be more than 5.0 metres above the level of the **average grade** of the ground at the base of the device.

(3) Wind Energy Device - Setbacks

In the open space zone category, no part of a **wind energy** device is to be closer to a **lot line** than the greater of:

- (A) the minimum setback requirements for a principal **building** on the **lot** where the device is located; or
- (B) a distance equal to two times the height of the device, measured between the elevation of the ground at its base to the elevation of the highest part of the device.

(4) Wind Energy Device - Height

In the open space zone category, no part of a **wind energy** device is to be greater than 15.0 metres above the elevation of the ground at the base of the device.

(5) Geo-energy Requirements

In the open space zone category, any above ground part of a geo-energy device on a **lot** must comply with all the requirements for a principal **building** on the **lot** where the device is located, but the device must not be less than 10.0 metres from any **lot line**.

(6) Cogeneration Device

In the open space zone category, a **cogeneration energy** device must be located inside a permitted principal **building**.

90.5.80 Parking

90.5.80.200 Exemptions

(1) Existing Parking Space Deficiency Exemption in the Open Space Zone Category

If on the date of the enactment of this By-law a **lot** in an open space zone category contains uses in compliance with the applicable former zoning bylaw, and provided **parking spaces** in compliance with the applicable former zoning bylaw or by a section 45 Planning Act minor variance, and the lawfully existing number of those **parking spaces** existing on the date of the enactment of this By-law is less than the number required by this By-law, then the number of **parking spaces** that existed on the **lot** for that use, on the date of the enactment of this By-law, is the minimum number of **parking spaces** required for that use; if there is:

- (A) an increase in the **interior floor area** for that use, **parking spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **parking spaces** must be provided in accordance with the requirements of this By-law.

90.10 Open Space Zone (O)

90.10.1 General

90.10.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the O Zone is to provide an open space zone where the only permitted principal use is a **park**, such as ornamental gardens or small play areas, with no principal **buildings** permitted.

90.10.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.10 apply to lands, **buildings** and **structures** in an O zone.

90.10.20 Permitted Uses

90.10.20.10 Principal Use

(1) Principal Use – O Zone

The following principal uses are permitted in an O zone:

Park*

*This is a defined term in Chapter 800 of this By-law.

90.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – O Zone

The following principal uses are permitted in an O zone if they comply with the specific conditions set out for each use in Clause 90.10.20.100:

Education Use* (1)

Club* (1)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.10.20.100

90.10.20.30 Ancillary Use

(1) Ancillary Use - O zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an O zone if they comply with the specific conditions set out for each use in Clause 90.20.20.100:

None

90.10.20.100 Conditions

(1) Education Use or Club

An **education use** or a **club** is permitted in an O zone, if it is not in a **building**.

90.10.40 Principal Building Requirements

90.10.40.1 General

(1) Principal Buildings Not Permitted

A principal **building** is not permitted in an O zone.

90.10.60 Ancillary Buildings and Structures

90.10.60.1 General

(1) Application of this Article

The regulations in Article 90.10.60 apply to **ancillary buildings** or **structures** in an O zone.

(2) Ancillary Building or Structure on a Lot with No Principal Building

Despite 5.10.60.1 (1), in an O zone, an **ancillary building** or **structure** may be erected on a **lot** where there is no principal **building**.

90.10.60.20 Setbacks

(1) Yard Setbacks for Ancillary Buildings or Structures

For an **ancillary building** or **structure** in an O zone, the minimum setback from a **front lot line**, **rear lot line** and **side lot line** is:

(A) 1.5 metres, if its height is 2.0 metres or less; and

(B) 3.0 metres, if its height is greater than 2.0 metres.

90.10.60.40 Height

(1) Maximum Height of Ancillary Buildings or Structures

The maximum height of an **ancillary building** or **structure** in an O zone is 4.0 metres.

90.10.60.50 Floor Area

(1) Maximum Floor Area of Ancillary Buildings or Structures

The total maximum **gross floor area** of all **ancillary buildings** or **structures** on a **lot** in an O zone, other than swimming pools or other **structures** used to hold water, is 30.0 square metres.

90.20 Open Space - Natural Zone (ON)

90.20.1 General

90.20.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the ON Zone is to provide an open space zone for the conservation of lands such as ravines and waterways, that are part of the natural system.

90.20.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.20 apply to lands, **buildings** and **structures** in an ON zone.

90.20.20 Permitted Uses

90.20.20.10 Principal Use

(1) Principal Use – ON Zone

The following principal uses are permitted in an ON zone:

Park*

Agricultural Use*

*This is a defined term in Chapter 800 of this By-law.

90.20.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – ON Zone

The following principal uses are permitted in an ON zone if they comply with the specific conditions set out for each use in Clause 90.20.20.100:

Recreation Use* (1)

Education Use* (1)

Entertainment Place of Assembly* (1)

Place of Assembly* (1)

Club* (1)

Stable* (2)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.20.20.100

90.20.20.30 Ancillary Use

(1) Ancillary Use – ON Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an ON zone if they comply with the specific conditions set out for each use in Clause 90.20.20.100:

Retail Store* (3)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.20.20.100

90.20.20.100 Conditions

(1) Recreation Use, Education Use, Entertainment Place of Assembly, Place of Assembly, or Club

A **recreation use**, **education use**, **entertainment place of assembly**, **place of assembly**, or a **club** is permitted in an ON zone, if:

- (A) it is not in a wholly enclosed **building**; and
- (B) the use is together with a **park** or an **agricultural use**.

(2) Stable

A **stable** is permitted in an ON zone if it is together with a **park** or an **agricultural use**.

(3) Retail Store

A **retail store** is permitted in an ON zone if it:

- (A) is not in a wholly enclosed **building**; and
- (B) is **ancillary** to an **agricultural use** on the same **lot**.

90.20.40 Principal Building Requirements

90.20.40.1 General

(1) Application of this Article

The regulations in Article 90.20.40 apply to principal **buildings** or **structures** in an ON zone, except for conservation works, **public utilities** and **transportation uses**.

90.20.40.10 Height

(1) Maximum Height

The maximum height for a principal **building** or **structure** on a **lot** in an ON zone is:

- (A) the numerical value, in metres, shown on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value shown on the Height Overlay Map, 12.0 metres.

90.20.40.40 Floor Area

(1) Maximum Gross Floor Area

The maximum **gross floor area** for any one **building** or **structure** in an ON zone is:

- (A) 500 square metres for an **agricultural use** or a horticultural use; or
- (B) 100 square metres for any other permitted use.

90.20.40.70 Setbacks

(1) Yard Setbacks

In an ON zone, the minimum **building setback** from a **front lot line**, **rear lot line** and **side lot line** is 12.0 metres.

90.20.60 Ancillary Buildings and Structures

90.20.60.1 General

(1) Application of this Article

The regulations in Article 90.20.60 apply to **ancillary buildings** or **structures** in an ON zone, except for conservation works, **public utilities** and **transportation uses**.

(2) Ancillary Building or Structure on a Lot with No Principal Building

Despite 5.10.60.1 (1), in an ON zone, an **ancillary building** or **structure** may be erected on a **lot** where there is no principal **building**.

90.20.60.20 Setbacks

(1) Yard Setbacks for Ancillary Buildings or Structures

For an **ancillary building** or **structure** in an ON zone, the minimum setback from a **front lot line**, **rear lot line** and **side lot line** is:

(A) 3.0 metres, if its

- (i) height is 5.0 metres or less, and
- (ii) **gross floor area** is 30.0 square metres or less; or

(B) 12.0 metres, in all other cases.

90.20.60.40 Height

(1) Maximum Height of Ancillary Buildings or Structures

The maximum height of an **ancillary building** or **structure** in an ON zone is 12.0 metres.

90.20.60.50 Floor Area

(1) Maximum Floor Area of Ancillary Buildings or Structures

The maximum **gross floor area** for any one **ancillary building** or **structure** in an ON zone is:

- (A) 500 square metres for an **agricultural use** or a horticultural use; or
- (B) 100 square metres for any other permitted use.

90.30 Open Space - Recreation Zone (OR)

90.30.1 General

90.30.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the OR Zone is to provide an open space zone for **parks** in which recreation uses and facilities, such as sports fields, arenas and **community centres**, along with associated services, are permitted.

90.30.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.30 apply to lands, **buildings** and **structures** in an OR zone.

90.30.20 Permitted Uses

90.30.20.10 Principal Use

(1) Principal Use – OR Zone

The following principal uses are permitted in an OR zone:

Park*
Recreation Use*
Sports Place of Assembly*
Entertainment Place of Assembly*
Place of Assembly*
Community Centre*
Library
Day Nursery*
Art Gallery*
Museum*

*This is a defined term in Chapter 800 of this By-law.

90.30.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – OR Zone

The following principal uses are permitted in an OR zone, if they comply with the specific conditions set out for each use in Clause 90.30.20.100:

Education Use* (1)
Club* (1)
Stable* (1)
Eating Establishment* (2)
Take-out Eating Establishment* (2)
Retail Store* (2)
Personal Service Shop* (2)
Service Shop* (2)
Amusement Arcade* (3)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.30.20.100

90.30.20.30 Ancillary Use

(1) Ancillary Use – OR Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an OR zone if they comply with the specific conditions set out for each use in Clause 90.30.20.100:

Outdoor Patio* (4)
Public Works Yard* (5)

(#) The number after the listed use is the condition number reference in Clause 90.30.20.100

90.30.20.100 Conditions

(1) Education Use, Club, or Stable

An **education use**, a **club**, or a **stable** is permitted in an OR zone if it is together with a principal use permitted in 90.30.20.10 (1).

(2) Eating Establishment, Take-out Eating Establishment, Retail Store, Personal Service Shop, or Service Shop

An **eating establishment**, **take-out eating establishment**, **retail store**, **personal service shop**, or a **service shop** is permitted in an OR zone, if:

(A) the combined **interior floor area** of all such uses on a **lot**, in total, is no greater than 500 square metres; and

(B) the use is together with a principal use permitted in 90.30.20.10 (1).

(3) Amusement Arcade

An **amusement arcade** is permitted on a **lot** in an OR zone, if:

(A) it is together with a principal use permitted in 90.30.20.10 (1); and

(B) there are no more than 12 **amusement devices**, in total, on the **lot**.

(4) Outdoor Patio

An **outdoor patio** is permitted in an OR zone, if:

(A) it is not used for entertainment purposes such as listening to, watching or performing, music and dancing;

(B) it is at least 10.0 metres from a **lot** in a residential zone category or residential apartment zone category; and

(C) despite (B) above, if an **outdoor patio** is located on a roof or platform that is higher than 0.6 metres above **average grade**, it must be at least 40.0 metres, measured horizontally, from a **lot** in a residential zone category or residential apartment zone category.

(5) Public Works Yard

A **public works yard** is permitted in an OR zone, if:

(A) its perimeter is fenced; and

(B) it is **ancillary** to a **park** or **recreation use**.

90.30.40 Principal Building Requirements

90.30.40.1 General

(1) Application of this Article

The regulations in Article 90.30.40 apply to principal **buildings** or **structures** in an OR zone.

90.30.40.10 Height

(1) Maximum Height

The maximum height for a principal **building** or **structure** on a **lot** in an OR zone is:

(A) the numerical value, in metres, shown on the Height Overlay Map; or

(B) if the **lot** is in an area with no numerical value shown on the Height Overlay Map, 12.0 metres.

90.30.40.70 Setbacks

(1) Yard Setbacks

In an OR zone, the minimum **building setback** from a **front lot line**, **rear lot line** and **side lot line** is 12.0 metres.

90.30.60 Ancillary Buildings and Structures

90.30.60.1 General

(1) Application of this Article

The regulations in Article 90.30.60 apply to **ancillary buildings** or **structures** in an OR zone.

(2) Ancillary Building or Structure on a Lot with No Principal Building

Despite 5.10.60.1 (1), in an OR zone, an **ancillary building** or **structure** may be erected on a **lot** where there is no principal **building**.

90.30.60.20 Setbacks

(1) Yard Setbacks for Ancillary Buildings or Structures

For an **ancillary building** or **structure** in an OR zone, the minimum setback from a **front lot line**, **rear lot line** and **side lot line** is:

(A) 1.5 metres, if its

(i) height is 2.0 metres or less, and

(ii) **gross floor area** is 30.0 square metres or less; or

(B) 3.0 metres, in all other cases.

90.30.60.40 Height

(1) Maximum Height of Ancillary Buildings or Structures

The maximum height of an **ancillary building** or **structure** in an OR zone is 6.0 metres.

90.30.60.50 Floor Area

(1) Maximum Floor Area of Ancillary Buildings or Structures

The total maximum **gross floor area** of all **ancillary buildings** or **structures** on a **lot** in an OR zone is the greater of:

- (A) 500 square metres; or
- (B) 5% of the **lot area**.

90.40 Open Space - Golf Course Zone (OG)

90.40.1 General

90.40.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the OG Zone is to permit golf courses, including clubhouses and associated services, recreation uses and facilities.

90.40.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.40 apply to lands, **buildings** and **structures** in an OG zone.

90.40.20 Permitted Uses

90.40.20.10 Principal Use

(1) Principal Use – OG Zone

The following principal uses are permitted in an OG zone:

Park*

Golf Course

*This is a defined term in Chapter 800 of this By-law.

90.40.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – OG Zone

The following principal uses are permitted in an OG zone, if they comply with the specific conditions set out for each use in Clause 90.40.20.100:

Recreation Use* (1)

Education Use* (1)

Place of Assembly* (1)

Club* (1)

Eating Establishment* (1)

Take-out Eating Establishment* (2)

Retail Store* (2)

Personal Service Shop* (2)

Service Shop* (2)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.40.20.100

90.40.20.30 Ancillary Use

(1) Ancillary Use – OG Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an OG zone if they comply with the specific conditions set out for each use in Clause 90.40.20.100:

Amusement Arcade* (3)

Outdoor Patio* (4)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.40.20.100

90.40.20.100 Conditions

(1) Recreation Use, Education Use, Place of Assembly, Club, or Eating Establishment

A **recreation use, education use, place of assembly, club, or an eating establishment** is permitted in an OG zone if it is together with a **park** or a golf course.

(2) Take-out Eating Establishment, Retail Store, Personal Service Shop, or Service Shop

A **take-out eating establishment, retail store, personal service shop, or a service shop** is permitted in an OG zone, if:

(A) the total combined **interior floor area** of all such uses on a **lot**, is no greater than 500 square metres; and

(B) the use is together with a **park** or a golf course.

(3) Amusement Arcade

An **amusement arcade ancillary** to a golf course on the same **lot** is permitted in an OG zone, if there are no more than 12 **amusement devices**, in total, on the **lot**.

(4) Outdoor Patio

An **outdoor patio** is permitted in an OG zone, if:

(A) it is at least 10.0 metres from a **lot** in a residential zone category or residential apartment zone category; and

(B) despite (A) above, if an **outdoor patio** is located on a roof or platform that is higher than 0.6 metres above **average grade**, it must be at least 40.0 metres, measured horizontally, from a **lot** in a residential zone category or residential apartment zone category.

90.40.40 Principal Building Requirements

90.40.40.1 General

(1) Application of this Article

The regulations in Article 90.40.40 apply to principal **buildings** or **structures** in an OG zone.

90.40.40.10 Height

(1) Maximum Height

The maximum height for a principal **building** or **structure** on a **lot** in an OG zone is:

(A) the numerical value, in metres, shown on the Height Overlay Map; or

(B) if the **lot** is in an area with no numerical value shown on the Height Overlay Map, 12.0 metres.

90.40.40.40 Floor Area

(1) Maximum Gross Floor Area

In an OG zone, the total maximum **gross floor area** for all principal **buildings** or **structures** for any one golf course is 5,000 square metres.

90.40.40.70 Setbacks

(1) Yard Setbacks

In an OG zone, the minimum **building setback** from a **front lot line**, **rear lot line** and **side lot line** is 12.0 metres.

90.40.60 Ancillary Buildings and Structures

90.40.60.1 General

(1) Application of this Article

The regulations in Article 90.40.60 apply to **ancillary buildings** or **structures** in an OG zone.

90.40.60.20 Setbacks

(1) Yard Setbacks for Ancillary Buildings or Structures

For an **ancillary building** or **structure** in an OG zone, the minimum setback from a **front lot line**, **rear lot line** and **side lot line** is:

(A) 1.5 metres, if its

(i) height is 2.0 metres or less, and

(ii) **gross floor area** is 30.0 square metres or less; or

(B) 3.0 metres, in all other cases.

90.40.60.40 Height

(1) Maximum Height of Ancillary Buildings or Structures

The maximum height of an **ancillary building** or **structure** in an OG zone is 6.0

metres.

90.40.60.50 Floor Area

(1) Maximum Floor Area of Ancillary Buildings or Structures

In an OG zone, the total maximum **gross floor area** of all **ancillary buildings** or **structures** for any one golf course is 500 square metres.

90.50 Open Space - Marina Zone (OM)

90.50.1 General

90.50.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the OM Zone is permit marinas, including clubhouses and associated services, recreation uses and facilities.

90.50.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.50 apply to lands, **buildings** and **structures** in an OM zone.

90.50.20 Permitted Uses

90.50.20.10 Principal Use

(1) Principal Use – OM Zone

The following principal uses are permitted in an OM zone:

Park*

Marina

*This is a defined term in Chapter 800 of this By-law.

90.50.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – OM Zone

The following principal uses are permitted in an OM zone, if they comply with the specific conditions set out for each use in Clause 90.50.20.100:

Recreation Use* (1)

Education Use* (1)

Place of Assembly* (1)

Club* (1)

Eating Establishment* (1)

Take-out Eating Establishment* (2)

Retail Store* (2)

Personal Service Shop* (2)

Service Shop* (2)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.50.20.100

90.50.20.30 Ancillary Use

(1) Ancillary Use – OM Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an OM zone if they comply with the specific conditions set out for each use in Clause 90.50.20.100:

Amusement Arcade* (3)

Outdoor Patio* (4)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.50.20.100

90.50.20.100 Conditions

(1) Recreation Use, Education Use, Place of Assembly, Club, or Eating Establishment

A **recreation use, education use, place of assembly, club, or an eating establishment** is permitted in an OM zone if it is together with a **park** or a marina.

(2) Take-out Eating Establishment, Retail Store, Personal Service Shop, or Service Shop

A **take-out eating establishment, retail store, personal service shop, or a service shop** is permitted in an OM zone, if:

(A) the total combined **interior floor area** of all such uses on a **lot**, is no greater than 500 square metres; and

(B) the use is together with a **park** or a marina.

(3) Amusement Arcade

An **amusement arcade ancillary** to a marina on the same **lot** is permitted in an OM zone, if there are no more than 12 **amusement devices**, in total, on the **lot**.

(4) Outdoor Patio

An **outdoor patio** is permitted in an OM zone, if:

(A) it is not used for entertainment purposes such as listening to, watching or performing, music and dancing;

(B) it is at least 10.0 metres from a **lot** in a residential zone category or residential apartment zone category; and

(C) despite (B) above, if an **outdoor patio** is located on a roof or platform that is higher

than 0.6 metres above **average grade**, it must be at least 40.0 metres, measured horizontally, from a **lot** in a residential zone category or residential apartment zone category.

90.50.40 Principal Building Requirements

90.50.40.1 General

(1) Application of this Article

The regulations in Article 90.50.40 apply to principal **buildings** or **structures** in an OM zone.

90.50.40.10 Height

(1) Maximum Height

The maximum height for a principal **building** or **structure** on a **lot** in an OM zone is:

- (A) the numerical value, in metres, shown on the Height Overlay Map; or
- (B) if the **lot** is in an area with no numerical value shown on the Height Overlay Map, 12.0 metres.

90.50.40.40 Floor Area

(1) Maximum Gross Floor Area

In an OM zone, the total maximum **gross floor area** for all principal **buildings** or **structures** for any one marina is 5,000 square metres.

90.50.40.70 Setbacks

(1) Yard Setbacks

- (A) In an OM zone, the minimum **building setback** from a **front lot line**, **rear lot line** and **side lot line** is 12.0 metres.

- (B) Despite (A) above, no **building setback** is required from a **lot line** that is:

- (i) at the shoreline of Lake Ontario; or
- (ii) in Lake Ontario.

90.50.60 Ancillary Buildings and Structures

90.50.60.1 General

(1) Application of this Article

The regulations in Article 90.50.60 apply to **ancillary buildings** or **structures** in an OM zone.

90.50.60.20 Setbacks

(1) Yard Setbacks for Ancillary Buildings or Structures

For an **ancillary building** or **structure** in an OM zone, the minimum setback from a **front lot line**, **rear lot line** and **side lot line** is:

- (A) zero if the **lot line** is

- (i) at the shoreline of Lake Ontario, or
- (ii) in Lake Ontario;

(B) 3.0 metres, if (A) above is not applicable, and its

- (i) height is 5.0 metres or less, and
- (ii) **gross floor area** is 30.0 square metres or less; or

(C) 12.0 metres, in all other cases.

90.50.60.40 Height

(1) Maximum Height of Ancillary Buildings or Structures

The maximum height of an **ancillary building** or **structure** in an OM zone is 12.0 metres.

90.50.60.50 Floor Area

(1) Maximum Floor Area of Ancillary Buildings or Structures

In an OM zone, the total maximum **gross floor area** of all **ancillary buildings** or **structures** for any one marina is the greater of:

(A) 500 square metres; or

(B) 5% of the marina's total land area.

90.70 Open Space - Cemetery Zone (OC)

90.70.1 General

90.70.1.1 Purpose of the Zone

(1) Purpose of the Zone

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

90.70.1.10 Interpretation

(1) Application of this Section

The regulations in Section 90.70 apply to lands, **buildings** and **structures** in an OC zone.

90.70.20 Permitted Uses

90.70.20.10 Principal Use

(1) Principal Use – OC Zone

The following principal uses are permitted in an OC zone:

Cemetery*

*This is a defined term in Chapter 800 of this By-law.

90.70.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – OC Zone

The following principal uses are permitted in an OC zone, if they comply with the specific conditions set out for each use in Clause 90.70.20.100:

Crematorium* (1)

Funeral Visitation Facility* (2)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.70.20.100

90.70.20.30 Ancillary Use

(1) Ancillary Use – OC Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in an OC zone if they comply with the specific conditions set out for each use in Clause 90.70.20.100:

Retail Store* (3)

Office (4)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 90.70.20.100

90.70.20.100 Conditions

(1) Crematorium

A **crematorium** is permitted in an OC zone, if it is:

(A) together with a **cemetery** on the same **lot**; and

(B) is at least 30.0 metres from a **lot** in a residential zone category or residential apartment zone category.

(2) Funeral Visitation Facility

A funeral visitation facility is permitted in an OC zone, if it:

(A) is together with a **cemetery** on the same **lot**; and

(B) has an **interior floor area** no greater than 2,500 square metres.

(3) Retail Store

A **retail store** is permitted in an OC zone, if it:

(A) is **ancillary** to a **cemetery, crematorium** or funeral visitation facility on the same **lot**; and

(B) has an **interior floor area** no greater than 100 square metres.

(4) Office

An office is permitted in an OC zone, if it:

(A) is **ancillary** to a **cemetery, crematorium** or funeral visitation facility on the same **lot**; and

(B) has an **interior floor area** no greater than 100 square metres.

90.70.40 Principal Building Requirements

90.70.40.1 General

(1) Application of this Article

The regulations in Article 90.70.40 apply to principal **buildings** or **structures** in an OC zone, which includes columbaria, mausolea and monuments in this zone.

90.70.40.10 Height

(1) Maximum Height

The maximum height for a principal **building** or **structure** on a **lot** in an OC zone is:

(A) the numerical value, in metres, shown on the Height Overlay Map; or

(B) if the **lot** is in an area with no numerical value shown on the Height Overlay Map, 12.0 metres.

90.70.40.40 Floor Area

(1) Maximum Gross Floor Area

In an OC zone, the total maximum **gross floor area** for all principal **buildings** or **structures**, other than monuments, for any one **cemetery** is the lesser of:

(A) 3,500 square metres; or

(B) 5% of the **lot area**.

90.70.40.70 Setbacks

(1) Yard Setbacks

(A) In an OC zone, the minimum front, rear and **side yard setback** is the greater of:

(i) 7.5 metres, or

(ii) a distance equal to the height of the **building, structure** or monument.

(B) Despite (A) above, the minimum front, rear and **side yard setback** is 0.9 metres for a monument with a height of 3.0 metres or less.

90.70.40.80 Separation

(1) Separation of Columbarium or Mausoleum from a Lot in Specified Zone Categories

A **columbarium** or a **mausoleum** must not be closer to a **lot** in a residential zone category or residential apartment zone category than:

(A) 7.5 metres, if its

- (i) height is 2.0 metres or less, and
- (ii) volume is 15.0 cubic metres or less; or

(B) 30.0 metres, in all other cases.

(2) Separation of Columbarium or Mausoleum from a Lot in Other Specified Zone Categories

A **columbarium** or a **mausoleum** must not be closer to a **lot** that is not in a residential zone category or residential apartment zone category than the greater of:

(A) 7.5 metres; or

(B) a distance equal to its height.

90.70.60 Ancillary Buildings and Structures

90.70.60.1 General

(1) Application of this Article

The regulations in Article 90.70.60 apply to **ancillary buildings** or **structures** in an OC zone.

(2) Ancillary Building or Structure on a Lot with No Principal Building

Despite 5.10.60.1 (1), in an OC zone, an **ancillary building** or **structure** may be erected on a **lot** where there is no principal **building**.

90.70.60.20 Setbacks

(1) Yard Setbacks for Ancillary Buildings or Structures

In an OC zone, the minimum front, rear and **side yard setback** for an **ancillary building** or **structure** is the distance equal to the height of the **ancillary building** or **structure**.

90.70.60.40 Height

(1) Maximum Height of Ancillary Buildings or Structures

The maximum height of an **ancillary building** or **structure** in an OC zone is 6.0 metres.

90.70.60.50 Floor Area

(1) Maximum Floor Area of Ancillary Buildings or Structures

In an OC zone, the total maximum **gross floor area** of all **ancillary buildings** or **structures** for any one **cemetery** is 1,000 square metres.

Chapter 100 Utility and Transportation

100.5 Regulations applying to the Utility Zone Category

100.5.1 General

100.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations contained in Section 100.5 apply to all lands, uses, **buildings** and **structures** in the Utility and Transportation Zone Category.

(2) Interpretation of the Utility and Transportation Zone Symbol

The zone symbol on the Zoning By-law Map for utility and transportation zones consists of the letters UT, indicating the primary land use permitted in the respective zone.

100.5.75 Energy Regulations

(1) Renewable Energy or Cogeneration Energy Device - Location Restriction

In the utility and transportation zone category, a device used to produce **renewable energy** or **cogeneration energy** if located on the ground, must not be located closer to a **lot line**, than the greater of:

(A) 10 metres;

(B) the minimum required setback for a principal **building** on the **lot**; or

(C) a distance, equal to the height of the device, measured between the elevation of the ground at its base to the elevation of the highest part of the device.

(2) Renewable Energy or Cogeneration Energy Device - Height Regulations

In the utility and transportation zone category, if a photovoltaic energy device or a thermal **solar energy** device is:

(A) located on a principal **building**,

(i) it must comply with all the minimum setback requirements for a principal **building**, and

(ii) no part of the device is to be more than 3.0 metres higher than the maximum height permitted for a principal **building** excluding any other permitted encroachments into the height limit; or

(B) not located on a principal **building**, no part of the device is to be more than 5.0 metres above the level of the **average grade** of the ground at the base of the device.

(3) Wind Energy Device - Setbacks

In the utility and transportation zone category, no part of a **wind energy** device is to be closer to a **lot line** than the greater of:

- (A) the minimum setback requirements for a principal **building** on the **lot** where the device is located; or
- (B) a distance equal to two times the height of the device, measured between the elevation of the ground at its base to the elevation of the highest part of the device.

(4) Wind Energy Device - Height

In the utility and transportation zone category, no part of a **wind energy** device is to be greater than 15.0 metres above the elevation of the ground at the base of the device.

(5) Geo-energy Requirements

In the utility and transportation zone category, any above ground part of a geo-energy device on a **lot** must comply with all the requirements for a principal **building** on the **lot** where the device is located, but the device must not be less than 10.0 metres from any **lot** line

(6) Cogeneration Device

In the utility and transportation zone category, a **cogeneration energy** device must be located inside a permitted principal **building**.

100.10 Utility Zone (UT)

100.10.1 General

100.10.1.1 Purpose of the Zone

(1) Purpose of the Zone

The purpose of the Utility and Transportation Zone is to permit **public utilities, transportation uses**, horticultural and outdoor recreation uses.

100.10.1.5 Interpretation

(1) Application of this Section

The regulations in Section 100.10 apply to lands, **buildings** and **structures** in the UT zone.

100.10.20 Permitted Uses

100.10.20.10 Principal Use

(1) Principal Use – UT Zone

The following principal uses are permitted in a UT zone:

Public Utility*

Transportation Use*

Park*

Market Garden*

*This is a defined term in Chapter 800 of this By-law.

100.10.20.20 Principal Use - Conditional

(1) Principal Use – Conditional – UT Zone

The following principal uses are permitted in a UT zone, if they comply with the

specific conditions set out for each use in Clause 100.10.20.100:

Recreation Use* (1)

Public Parking* (2)

Public Works Yard* (3)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 100.10.20.100

100.10.20.30 Ancillary Use

(1) Ancillary Use – UT Zone

In addition to the uses permitted in Clause 5.10.20.30, the following **ancillary** uses are permitted in a UT zone if they comply with the specific conditions set out for each use in Clause 100.10.20.100:

Off-site Parking* (4)

Open Storage* (5)

Vehicle Depot* (6)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 100.10.20.100

100.10.20.100 Conditions

(1) Recreation Use

A **recreation use** is permitted in a UT zone, if it is not in a wholly enclosed **building**.

(2) Public Parking

Public parking is permitted in a UT zone, if it is together with a **transportation use**.

(3) Public Works Yard

A **public works yard** is permitted in a UT zone, if the **public works yard** is at least 100 metres from a **lot** in a residential zone category or residential apartment zone category.

(4) Off-site Parking

In a UT zone, **off-site parking** providing required **parking spaces** for a use that is located on a directly adjacent **lot** is permitted, if:

(A) it is no closer to any other **lot** than 1.5 metres; and

(B) the 1.5 metre wide strip of land required in (A) above is used for no other purpose than **soft landscaping** if that **lot** is in a residential zone category.

(5) Open Storage

In a UT zone, **open storage** for a **public utility, transportation use**, or for a permitted principal use that is located on an abutting **lot**, is permitted if it is at least 100 metres from a **lot** in a residential zone category or residential apartment zone category.

(6) Vehicle Depot

In a UT zone, a **vehicle depot** for a **public utility, transportation use**, or for a permitted principal use that is located on an abutting **lot**, is permitted if it is at least 100 metres from a **lot** in a residential zone category or residential apartment zone category.

100.10.40 Principal Building Requirements

100.10.40.80 Separation

(1) Separation of Certain Public Utilities from Specified Zones

In a UT zone, a **public utility** for the treatment of water or sewage must be at least 100 metres from a **lot** in a residential zone category, residential apartment zone category, commercial zone category or commercial residential zone category.

100.10.60 Ancillary Buildings and Structures

100.10.60.1 General

(1) Ancillary Building or Structure on a Lot with No Principal Building

Despite 5.10.60.1 (1), in a UT zone, an **ancillary building** or **structure** may be erected on a **lot** where there is no principal **building**.

Chapter 150 Specific Use Regulations

150.5 Home Occupation

150.5.1 General

(1) Application of Regulations

The regulations in this section apply to every **home occupation** and **premises** containing a **home occupation** that are required to comply with the regulations contained in this Section (150.5).

150.5.20 Use Regulations

(1) Home Occupation - Uses Not Permitted

Unless otherwise stated in this By-law, a **home occupation** is not to include:

- (A) sale, rental or lease of physical goods directly from the **dwelling unit**;
- (B) a **personal service shop**;
- (C) a professional regulated under the College of Physicians and Surgeons of Ontario;
- (D) a professional regulated under the Regulated Health Professions Act, as amended;
- (E) an **animal shelter** or **kennel**;
- (F) **vehicle** repair, service, or washing; or
- (G) a **manufacturing use**.

(2) Home Occupation - No Customer or Client Attending the Premises for Specified Reasons

Unless otherwise stated in this By-law, except in the case of an **education use**, a **home occupation** is not to have clients or customers attending the **premises** for:

- (A) consultations;
- (B) receiving services; or
- (C) obtaining physical goods.

(3) Home Occupation - Obnoxious Uses Not Permitted

A **home occupation** is not to involve obnoxious uses.

(4) Home Occupation - No Outdoor Activities, Display and Storage

A **home occupation** is not to have outdoor activities or services, outside display or **open storage**.

(5) Home Occupation - Music or Dance Instruction Permitted in a Detached House Only

A **home occupation** involving instruction of music or dance may only be in a **detached house**.

(6) Home Occupation - Not Permitted in Conjunction with Group Home or Residential Care Home

A **home occupation** is not permitted together with a **group home** or a **residential care home**.

(7) Home Occupation - No Employee Other Than the Business Operator on the Premises

Unless otherwise stated in this By-law, a **home occupation** is not to have an employee working in the **dwelling unit** other than the business operator that resides in the **dwelling unit**.

(8) Home Occupation Exemptions - Personal Services in an R Zone

Despite 150.5.20 (1) and (2), a **home occupation** in an R zone may include a **personal service shop**, limited to the following types of services:

- (A) barber;
- (B) hairdresser;
- (C) beautician;
- (D) dressmaker;
- (E) seamstress; and
- (F) tailor.

(9) Home Occupation Exemptions - Health Related Professionals in an R Zone

(A) Despite 150.5.20 (1) and (2), a **home occupation** in an R zone may include:

- (i) a professional regulated under the College of Physicians and Surgeons of Ontario; and
- (ii) a professional regulated under the Regulated Health Professions Act, as amended.

(B) Despite 150.5.20 (7), a **home occupation** in an R zone and described in (A), above, may have one employee working in the **dwelling unit** in addition to the business operator that resides in the **dwelling unit**.

150.5.40 Building Regulations

150.5.40.1 General

(1) Home Occupation - No Alteration to Building

There must be no alteration to the exterior of a **building** to accommodate a **home occupation**.

(2) Home Occupation - Professionals under the Regulated Health Professions Act in an Apartment Building in an R Zone

Where permitted in an R zone, if a **dwelling unit** in an **apartment building** contains a **home occupation** that is a service provided by a professional regulated under the Regulated Health Professions Act, as amended, the **dwelling unit** must be located on the **first floor** or in the **basement**.

150.5.40.40 Floor Area

(1) Home Occupation - Maximum Interior Floor Area

The maximum floor area occupied or used by a **home occupation** is the lower of:

- (A) 25% of total **interior floor area** for the principal **building**; or
- (B) 100 square metres.

150.5.60 Ancillary Buildings and Structures

150.5.60.1 General

- (1) Home Occupation - Not Permitted in an Ancillary Building

A **home occupation** is not permitted in an **ancillary building** or **structure**.

150.5.200 Signs

- (1) Home Occupation - Signs

On a **lot** in a residential zone category, a sign for a **home occupation** may be located only on the **front wall** of the principal **building**.

150.10 Secondary Suite

150.10.1 General

- (1) Application of Regulations

The regulations in this section apply to every **secondary suite** and **premises** containing a **secondary suite** that are required to comply with the regulations contained in this Section (150.10).

150.10.20 Use Regulations

- (1) Secondary Suite - Number Permitted in a Detached House or Semi-Detached House

Within a **detached house** or **semi-detached house**, each **dwelling unit** may have a maximum of one **secondary suite**.

- (2) Secondary Suite - Number Permitted in a Townhouse in an R Zone

In a R Zone, a **dwelling unit** in a **townhouse** may have a maximum of one **secondary suite**.

- (3) Secondary Suite - Number Permitted in a Detached House in an R Zone Other Than R(u2)(x5)

Despite 150.10.20 (1), in an R zone other than R(u2)(x5), a **building** originally constructed as a **detached house** may be converted to contain 3 or more **dwelling units**, if the conversion does not result in any change to the **lot**.

- (4) Secondary Suite - Permission in a Legal Non-conforming Detached House or Semi-Detached House

A **secondary suite** is permitted within an existing legal non-conforming **detached house** or **semi-detached house**, if:

(A) all applicable **secondary suite** regulations are met; and

(B) there is no expansion or enlargement of the non-conforming use.

150.10.40 Building Regulations

150.10.40.1 General

- (1) Secondary Suite - Age of Building

The whole of a **building** containing a **secondary suite** must have been constructed more than 5 years prior to the introduction of the **secondary suite**, excluding additions or alterations described in 150.10.40.1 (2).

- (2) Secondary Suite - Addition or Alteration

(A) An addition or alteration to a **building** to accommodate a **secondary suite** is permitted if it does not alter or add to a **main wall** or roof that faces a **street**.

(B) Despite (A) above, the following additions or alterations may be on a **main wall** or roof that faces a **street**:

- (i) a porch or a **basement** extension beneath a porch;
- (ii) a balcony; and
- (iii) a dormer, if the **interior floor area** of the dormer is not more than 2.3 square metres and the total **interior floor area** of all dormers is not more than 9.3 square metres.

150.10.40.40 Floor Area

(1) Secondary Suite - Interior Floor Area

The **interior floor area** of a **secondary suite** must be less than the **interior floor area** of the principal **dwelling unit**.

(2) Secondary Suite - Requirements in an R Zone

In an R zone, a **building** originally constructed as a **detached house** may only be converted to contain 3 or more **secondary suites** in accordance with 150.10.20.1 (3) if:

(A) the **building** has a minimum **interior floor area** of 460 square metres; and

(B) despite 150.10.40.40 (1), the principal **dwelling unit** and each **secondary suite** must have an **interior floor area** no less than 55.0 square metres, except in the case of an attic converted to a **secondary suite** which must have an **interior floor area** no less than 42.0 square metres.

150.15 Group Home

150.15.1 General

(1) Application of Regulations to Group Homes and Residential Care Homes

The regulations in this section apply to every **group home** or **residential care home** and **premises** containing a **group home** or **residential care home** that are required to comply with the regulations contained in this Section (150.15).

(2) Application of Regulations to Foster Group Homes

Despite 150.15.1 (1), the regulations contained in this Section (150.15) are not to apply to a **dwelling unit** where one or two adult persons live and provide care on a continuous basis for fewer than five children not of common parentage.

150.15.20 Use Regulations

(1) Group Home or Residential Care Home - Use Restriction

A **group home** or a **residential care home** must occupy the whole of a principal **building** and not be combined with any other principal use.

(2) Group Home - Type of Building in a Residential Zone Category

In a residential zone category, a **group home** must be located in a **building** originally constructed as a **detached house**.

150.15.30 Lot Regulations

(1) Group Home or Residential Care Home - Separation Distance

A **group home** or a **residential care home** must be a minimum distance of 250 metres from any **lot** containing an existing **group home** or **residential care home**, measured in a straight line from nearest property line to nearest property line.

(2) Correctional Use - Location

If a **group home** or a **residential care home** is used for correctional purposes, it must be located on a **lot** that:

(A) is not in an RD zone; and

(B) has a **front lot line** abutting a **street** shown on the Major **Streets** Overlay Map.

150.15.80 Parking

(1) Group Home - Parking Space Requirements

A **group home** must have a minimum of two **parking spaces** of which:

(A) a minimum of one **parking space** must be located according to the requirements for the zone and **building** type; and

(B) a maximum of one **parking space** may be located on the **driveway** in tandem with a **parking space** required in (A).

150.20 Crisis Care Shelter

150.20.1 General

(1) Application of Regulations

The regulations in this section apply to every **crisis care shelter** and **premises** containing a **crisis care shelter** that are required to comply with the regulations contained in this Section (150.20).

150.20.20 Use Regulations

(1) Crisis Care Shelter - Use Restriction

A **crisis care shelter** must:

(A) occupy the whole of a principal **building** and not be combined with any other principal use; and

(B) be regulated or supervised under Province of Ontario or Government of Canada legislation.

150.20.30 Lot Regulations

(1) Crisis Care Shelter - Separation Distance and Location

A **crisis care shelter** must:

(A) be a minimum distance of 250 metres from any **lot** containing an existing **crisis care shelter** or **municipal shelter**, measured in a straight line from nearest property line to

nearest property line; and

(B) be located on a **lot** that:

- (i) has a **front lot line** or **side lot line** abutting a **street** shown on the Major **Streets** Overlay Map; or
- (ii) has a **front lot line** or **side lot line** abutting a **street** which intersects a road described in (i), and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection.

150.22 Municipal Shelter

150.22.1 General

(1) Application of Regulations

The regulations in this section apply to every **municipal shelter** and **premises** containing a **municipal shelter** that are required to comply with the regulations contained in this Section (150.22).

150.22.30 Lot Regulations

(1) Municipal Shelter - Separation Distance and Location

A **municipal shelter** must:

(A) be a minimum distance of 250 metres from any **lot** containing an existing **crisis care shelter** or **municipal shelter**, measured in a straight line from nearest property line to nearest property line; and

(B) be located on a **lot** that:

- (i) has a **front lot line** or **side lot line** abutting a **street** shown on the Major **Streets** Overlay Map; or
- (ii) has a **front lot line** or **side lot line** abutting a **street** which intersects a road described in (i), and the **lot** is located, in whole or in part, within a distance of 80 metres from that intersection.

150.25 Rooming House

150.25.1 General

(1) Application of Regulations

The regulations in this section apply to every **rooming house** and **premises** containing a **rooming house** that are required to comply with the regulations contained in this Section (150.25).

150.25.20 Use Regulations

(1) Rooming House

{{**Rooming House** regulations as they now exist will be retained until further study is undertaken in the future per PGMC direction.}}

150.30 Senior's Community House

150.30.1 General

(1) Application of Regulations

The regulations in this section apply to every **seniors community house** and **premises** containing a **seniors community house** that are required to comply with the regulations contained in this Section (150.30).

150.30.20 Use Regulations

(1) Seniors Community House - Use Restriction

A **seniors community house** must:

- (A) occupy the whole of a principal **building** and not be combined with any other principal use; and
- (B) have, excluding staff, residents that are all at least 65 years old.

(2) Seniors Community House - Location Restriction

Despite regulations to the contrary, a **seniors community house** is not permitted within the area bounded on the north by Dundas **Street** West, on the east by Dufferin **Street** and the rail lines, on the south by Lake Shore Boulevard West, and on the west by Roncesvalles Avenue.

150.30.30 Lot Regulations

(1) Seniors Community House - Separation Distance

A **seniors community house** must be a minimum distance of 250 metres from any **lot** containing an existing **seniors community house**, measured from nearest property line to nearest property line.

150.30.40 Building Regulations

(1) Seniors Community House - Age of Building

A **building** containing a **seniors community house** must have been constructed more than 5 years prior to it being used as a **seniors community house**, excluding additions or alterations.

150.45 Day Nursery

150.45.1 General

(1) Application of Regulations

The regulations in this section apply to every **day nursery** and **premises** containing a **day nursery** that are required to comply with the regulations contained in this Section (150.45).

150.45.20 Use Regulations

(1) Day Nursery - Permitted Building Types in Specified Zone Categories

In a residential zone category or a residential apartment zone category, a **day nursery** is only to be located in an **apartment building** or a **building** containing one or more of the following uses:

- (A) **public school**;
- (B) **private school**;
- (C) **place of worship**;
- (D) **community centre**; or
- (E) library.

150.45.40 Building Regulations

(1) Day Nursery - Location in an Apartment Building

If a **day nursery** is in an **apartment building**, the **day nursery** must be located on the **first floor**.

(2) Day Nursery - Size Restriction in a School

If a **day nursery** is in a **public school** or a **private school**, the **interior floor area** used by the **day nursery** must be no greater than 40% of the **gross floor area** of the **building**.

150.45.50 Yards

(1) Day Nursery - Yard Restrictions

If a **day nursery** is on a **lot** in a residential zone category, no portion of the **front yard** or a **side yard** abutting a **street** is to be used as a children's play area.

150.48 School

150.48.20 Use Regulations

150.48.20.1 General

(1) School- General

Every **Public School** or a **Private School** and **premises** containing a **Public School** or a **Private School** that is located in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category or Institutional Educational Zone that are required to comply with the regulations contained in this Section, must comply with the regulations contained in this Section (150.48) in addition to the regulations of the zone in which the **Public School** or a **Private School** is located.

150.48.30 Lot Regulations

150.48.30.40 Coverage

(1) Lot Coverage

If on the date on the enactment of this by-law, a **lot** in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category or Institutional Educational Zone contained a **building** and a **public school** use or **private school** use, then the maximum **lot coverage** for that **lot** is equal to the greater of:

- (A) the actual percentage of the **lot** covered by all **buildings** on the date of the enactment of this by-law; or
- (B) the maximum **lot coverage** permitted for the zone in which the **lot** is located.

150.48.40 Building Regulations

150.48.40.10 Height

(1) Height

If on the date on the enactment of this by-law, a **lot** in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category or Institutional Educational Zone contained a **building** and a **public school** use or **private school** use, then the maximum **building** height is equal to the greater of:

- (A) the tallest height of any **buildings** existing on the **lot** on the date of the enactment of this by-law; or
- (B) the maximum height for a **building** for the zone in which the **lot** is located.

150.48.40.40 Floor Area

(1) Gross Floor Area

If on the date on the enactment of this by-law, a **lot** contains a **building** used for a **public school** use or **private school** use, and is located in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category or Institutional Educational Zone, then the maximum **gross floor area** is the greater of:

- (A) the actual lawful **gross floor area** of all **buildings** that existed and were used for a **public school** or **private school** on the **lot** on the date on the enactment of this by-law; or
- (B) the maximum **gross floor area** for all **buildings** permitted for the zone in which the **lot** is located.

150.48.40.70 Setbacks

(2) Minimum Building Setbacks

If on the date on the enactment of this by-law, a **lot** contains a **building** used for a **public school** use or **private school** use, and is located in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category or Institutional Educational Zone, then the minimum required **building setback** from a **front lot line**, **side lot line** or **rear lot line** is equal to the lesser of:

- (A) the minimum distance from each **main wall** of a **building** that lawfully existed on the **lot** on the date of the enactment of this By-law, to the respective **front lot line**, **side lot line** and **rear lot line**; and
- (B) the minimum **building setback** from each **lot line** that is required for the zone in which the **lot** is located.

150.48.50 Yards

150.48.50.10 Landscaping

(1) School- Landscaping

If a **lot** containing a **Public School** or a **Private School** is in a Commercial Residential Zone or Commercial Residential Employment Zone, there must be on the **lot**:

- (A) a minimum 1.5 metre wide strip of land, used only for **soft landscaping**, along all **side lot lines** and **rear lot lines**; and
- (B) with the exception of areas used for play, **driveways**, parking, loading, student drop-off and pick-up, a minimum 3.0 metre wide strip of land, used for only **soft landscaping**, along the entire length of any **lot line** abuts a **street**.

150.48.60 Ancillary Buildings and Structures

150.48.60.1 General

(1) Ancillary Portable Classroom Building

If on the date of the enactment of this by-law a **building** on a **lot** in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category or Institutional Educational Zone, was used for a **public school** or **private school** an **ancillary building** is permitted if it complies with the requirements of the zone in which the **lot** is located.

150.48.60.20 Setbacks

(1) Ancillary Building and Structure Setbacks

Ancillary buildings or **structure** must comply with the **building setback** requirements for the zone in which the **lot** is located.

150.48.60.40 Height

(1) Calculation of Height

Building height for an **ancillary** portable classroom **building**, is determined as the difference in elevation between the average elevation of the ground around the **building** and the elevation of the highest part of the **building**, excluding permitted encroachments above the height limit.

(2) Ancillary Portable Classroom Building - Height

If on the date of the enactment of this by-law, a **building, ancillary** to a **Public School** or **Private School** existed on a **lot** in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category or Institutional Educational Zone, the maximum height for that **ancillary building** is the greater of:

- (A) the tallest height of any **ancillary building** existing on the **lot** on the date of the enactment of this by-law; or
- (B) the maximum height for an **ancillary building**, for the zone in which the **lot** is located.

(3) Addition, Extension or Alteration to an Existing Ancillary Building

Any **ancillary building** constructed after the date of the enactment of this by-law, or any addition, extension or alteration to the **building** referenced in 150.48.60.40 (2) must comply with all the applicable requirements of this by-law.

150.48.80 Parking

150.48.80.30 Separation

(1) School Parking Lots

If a **lot** containing a **Public School** or a **Private School** is in an Institutional Zone, Commercial Residential Zone or Commercial Residential Employment Zone, a parking area for a **Public School** or a **Private School** must be separated from any property line that does not abut a **street** or **lane** by a minimum 1.5 metre wide strip of land used only for **soft landscaping**.

If the parking area abuts a **lot** in a residential zone category, a fence is to also be provided along the part of the **lot line** abutting the residential **lot**.

150.48.80.200 Exceptions

(1) Parking Space Requirement

Despite the requirements of Chapter 200 **Parking Space** Regulations, if on the date on the enactment of this by-law, a **lot** contains a **building** used for a **public school** use or **private school** use, and is located in a Residential Zone Category, Residential Apartment Zone Category, Commercial Zone Category or Institutional Educational Zone, and if the number of **parking spaces** that existed on the **lot** on the date of the

enactment of this by-law is less than the number of **parking space** required by this by-law, the minimum number of parking required for the **public school** use or **private school** use is the number of **parking spaces** that existed on the date of the enactment of this by-law.

150.48.90 Loading

150.48.90.1 General

(1) School - Pick-Up / Drop-Off Areas

If a **lot** containing a **Public School** or a **Private School** is in an Institutional Zone, Commercial Residential Zone or Commercial Residential Employment Zone is increases in **gross floor area**, a student pick-up and drop-off area for **vehicles** must be provided on the same **lot** as the **Public School** or a **Private School**.

150.48.90.10 Location

(1) Loading Space

If a **lot** containing a **Public School** or a **Private School** is in an Institutional Zone, Commercial Residential Zone or Commercial Residential Employment Zone and if a **loading space** is provided, the **loading space** must be located entirely on the **lot** and only in a **side yard** or **rear yard** that does not abut a **lot** in a Residential Zone category or residential Apartment Zone category

150.48.150 Waste

(1) Waste Storage

If a **lot** contains a **Public School** or a **Private School** and the **lot** is in an Institutional Zone, Commercial Residential Zone or Commercial Residential Employment Zone, all waste and **recyclable material** must be stored on the **lot** in a wholly enclosed **building**.

150.50 Place of Worship

150.50.1 General

(1) Application of Regulations

The regulations in this section apply to every **place of worship** and **premises** containing a **place of worship** that are required to comply with the regulations contained in this Section (150.50).

(2) Building Reconstruction and Replacment

If a **Place of Worship** that is located on a **lot** in a Residential Zone category or Apartment Residential Zone category, it may be replaced or reconstructed in accordance with the regulations of the zone in which the **lot** is located so long as the minimum number of **parking space** that existed for that use on the date of the enactment of this by-law continue to remain.

150.50.20 Use Regulations

150.50.20.1 General

(1) Ancillary Uses - Location and Access

An **ancillary** use must be located in the principal **building** and only accessible from inside the principal **building**.

(2) Ancillary Uses - Types

The following uses are permitted if they are accessible only from inside the **place of worship** use:

- (A) library or reading room; and
- (B) **retail store**.

(3) Retail Store Area Limitation

The maximum **interior floor area** for an **ancillary retail store** is the lesser of:

- (A) 5 percent of the **interior floor area** of the worship area; or
- (B) 25 square metres.

150.50.30 Lot Regulations

150.50.30.200 Exemptions

(1) Maximum Lot Area Exemption

If on the date of the enactment of this by-law, an existing **Place of Worship** is lawfully located in a **building** on a **lot** and on the **lot** is located in a Residential Zone category, Apartment Residential Zone category, Employment Zone category, then the maximum **lot area** for that **lot** containing the existing **Place of Worship**, is the area of that **lot** that existed on the date of the enactment of this by-law unless otherwise permitted by a variance under Section 45 of the Planning Act.

(2) Maximum Lot Coverage Exemption

If on the date of the enactment of this by-law, an existing **place of worship** is lawfully located in a **building** on a **lot** and on the **lot** is located in a Residential Zone category, Apartment Residential Zone category, Employment Zone category, then the maximum permitted **lot coverage** is equal to the greater of:

- (A) percentage of the **lot** covered by all **buildings** existing on the **lot** on the date of the enactment of this By-law; or
- (B) the maximum **lot coverage** permitted for the zone in which the **lot** is located.

150.50.40 Building Regulations

150.50.40.1 General

(1) Existing Building Replacement and Reconstruction

If on the date of the enactment of this by-law, an existing **place of worship** is located on a **lot** in compliance with the former by-law, and that **Place of Worship** that is now located on a **lot** in a Residential Zone category or Apartment Residential Zone category, it may be replaced or reconstructed in accordance with the regulations of the zone in which the **lot** is located so long as the **parking space** that existed for that use on the date of the enactment of this by-law are maintained.

150.50.40.80 Separation

(1) Minimum Lot Frontage Exemption

If on the date of the enactment of this by-law, an existing **place of worship** is lawfully located in a **building** on a **lot** and the **lot** is located in a Residential Zone category, Apartment Residential Zone category, Employment Zone category, and the **lot frontage** is less than that required by this by-law for the **lot** on which the **Place of Worship** is located then the maximum **lot frontage** for that **lot** containing the existing **place of worship**, is the area of that **lot** that existed on the date of the enactment of this by-law.

150.50.40.200 Exemptions

(1) Maximum Height Exemption

In a Residential Zone category, Apartment Residential Zone category, Employment Zone category, if on the date of enactment of this bylaw, a lawfully erected **building** containing a **place of worship** complied with the applicable former zoning bylaw for height, or has a height that was permitted for this **building** by a section 45 Planning Act minor variance and that lawfully existing height is greater than the height permitted by this bylaw, then the maximum **building** height for that existing **building** is the greater of:

- (A) the height of that **building** as it existed on the date of the enactment of this By-law; or
- (B) the maximum **building** height permitted for the zone in which the **lot** is located.

(2) Building Height Exemption

If on the date of the enactment of this by-law, an existing **place of worship** is located on a **lot** in compliance with the former by-law and the **lot** is now located in a Residential Zone category, Apartment Residential Zone category, Employment Zone category, and the **building** has a minaret, steeple or similar architectural element that exceeds the maximum **building** height permitted by this by-law, the maximum height of the minaret, steeple or similar architectural element is the height that existed on the date of the enactment of this by-law.

(3) Maximum Gross Floor Area Exemption

If on the date of the enactment of this by-law, an existing **Place of Worship** is lawfully located in a **building** on a **lot** and on the **lot** is located in a Residential Zone category, Apartment Residential Zone category, Employment Zone category, then the maximum permitted **gross floor area** of all **buildings** on that **lot** is equal to the greater of:

- (A) the **gross floor area** of all **buildings** existing on the **lot** on the date of the enactment of this By-law; or
- (B) the maximum **gross floor area** permitted for the zone in which the **lot** is located.

(4) Minimum Lot Setback Exemption

Despite regulation 150.50.1.(1) and the **building setback** requirements of the zoning in which the **lot** is located, if on the date of the enactment of this by-law, an existing **Place of Worship** is lawfully located in a **building** on a **lot** and on the **lot** is located in a Residential Zone category, Apartment Residential Zone category, Employment Zone category, then the minimum required **building setback** from a **front lot line**, **side lot line** and **rear lot line** is equal to the distance from the **front lot line**, **side lot line** and **rear lot line** to the nearest respective **main wall** of a **building** that lawfully existed on the **lot** on the date of the enactment of this By-law; any addition, extension or alteration to a **building** must comply with all the requirements of this bylaw.

(5) Addition, Extension or Alteration to an Existing Building

Any addition, extension or alteration to the **building** referenced in 150.50.40.200 (1) must comply with all the applicable requirements of this by-law.

150.50.50 Yards

150.50.50.10 Landscaping

(1) Landscaping

In addition to the requirements of regulation 5.10.50.10 (1), if a **lot** in a Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone or Institutional Education Zone, contains a **place of worship** the **lot** must comply with the following requirements:

- (A) a minimum 1.5 metre wide strip of land used only for **soft landscaping**, must be provided along the entire length of each **side lot line** and **rear lot line**;
- (B) the area of the **front yard** not used for **vehicle** access must be used only for **landscaping** and a minimum of 75% of the **front yard landscaping** area must be used for **soft landscaping**; and
- (C) if a **lot** abuts a **lot** in a residential zone, along the entire length of the part of the **lot line** abutting the **lot** in a residential zone there is to be:
 - (i) a 3.0 metre wide strip of land used only for **soft landscaping**; and
 - (ii) a fence.

150.50.50.200 Exemptions

(1) Landscaping Exemption for Driveway Access to a Lot

Despite the requirements of regulation 150.50.50.10 (1) if a **lot** in a Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone or Institutional Education Zone, contains a **place of worship**, a **driveway** with a maximum width of 6.0 metres and providing direct access to the **lot** from a **street** or **lane**, may cross a required **landscaped** area if, the centre line of the part of the **driveway** crossing the required **landscaped** area is within 10 degrees of perpendicular to the part of the **lot line** over which access is taken.

150.50.80 Parking

150.50.80.10 Location

(1) Location of Vehicle Parking or Storage

If a **lot** in a Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone or Institutional Education Zone, contains a **place of worship**, no part of an area used for the parking or storage of a **vehicle** is less than 3.0 metres from any part of a **lot line** that abuts a **lot** in a residential zone category or residential apartment zone category.

150.50.80.200 Exceptions

(1) Parking Spaces

If on the date of the enactment of this by-law, an existing **Place of Worship** is lawfully located in a **building** on a **lot** and the **lot** is located in a Residential Zone category, Residential Apartment Zone category, Employment Zone category, and the number of **parking spaces** on the **lot** is less than that required by this by-law, then the number of **parking space** existing on the **lot** is the minimum number required for the **Place of Worship** and **building** that existed on the date of the enactment of this by-law; if there is:

- (A) an increase in the **interior floor area** for that use, **parking spaces** for that increased **interior floor area** must be provided in accordance with the requirements of this By-law; or
- (B) a change of use in that **building**, **parking spaces** must be provided in accordance with the requirements of this By-law.

150.50.150 Waste

(1) Storage of Waste

If a **lot** in a Residential Zone category or Apartment Residential Zone category contains a **Place of Worship**, all waste and **recyclable material** is to be stored on the **lot** in a wholly enclosed **building**.

150.58 Amusement Arcade

150.58.1 General

(1) Application of Regulations

The regulations in this section apply to every **amusement arcade** and **premises** containing a **amusement arcade** that are required to comply with the regulations contained in this Section (150.58).

150.58.20 Use Regulations

(2) Amusement Arcade- Criteria 1

A **lot** containing more than two **amusement devices** is to be deemed to be an **amusement arcade** for the purposes of this By-law.

(3) Amusement Arcade- Criteria 2

If a zone permits an **amusement arcade**, it must comply with the following:

- (i) it must be located within a **building** containing a minimum of 20,000 square metres of non-residential **gross floor area**;
- (ii) it must only be accessible from the interior of the **building**;
- (iii) no **amusement devices** are located in hallways, lobbies or other pedestrian areas; and
- (iv) there are no more than a total of 36 **amusement devices** located in all **amusement arcades** in the **building**.

150.58.30 Lot Regulations

(1) Separation From Other Amusement Arcade

A **lot** containing an **amusement arcade** must be a minimum distance of 150 metres from any other **lot** containing an **amusement arcade**.

(2) Separation from Public School or Private School

A **lot** containing an **amusement arcade** must be a minimum distance of 300 metres from a **lot** containing a **Public School** or **Private School**.

150.58.40 Building Regulations

(1) Amusement Arcade - Minimum Interior Floor Area

The **interior floor area** of an **amusement arcade** is to be a minimum of 6.0 square metres for each **amusement device**.

150.60 Nightclub

150.60.1 General

(1) Application of Regulations

Every **nightclub** and every **building** containing an **nightclub** must comply with the regulations contained in this Section (150.60).

The regulations in this section apply to every **nightclub** and **premises** containing a

nightclub that are required to comply with the regulations contained in this Section (150.60).

150.60.20 Use Regulations

(1) Nightclub Number

A **nightclub** is permitted if there is only 1 **nightclub** in a **building**.

(2) Nightclub Location

A **nightclub** is permitted if it is located only on the floor level of the **building** that is closest in elevation to the surface level of the ground at the **lot line** line that abuts the **street**.

150.60.30 Lot Regulations

(1) Nightclub Entertainment Establishment - Separation from Residential Zone

A **lot** containing a **nightclub** that has an **interior floor area** larger than 200 square metres must be a minimum of 300 metres from a **lot** in a Residential zone category or Residential Apartment zone category. This is not to apply if the use is **ancillary** to a **hotel**.

150.80 Drive-Through

150.80.1 General

(1) Drive-Through Facility- General

The regulations in this section apply to every **drive-through facility** and **premises** containing a **drive-through facility** that are required to comply with the regulations contained in this Section (150.80).

150.80.20 Use Regulations

(2) Drive-Through Facility – locational Restriction Stacking lane

No portion of a drive-through facility **stacking aisle** is to be located in a **front yard** or **side yard** that abuts a **street**.

(3) Drive-Through Facility – Use Restriction with Residential

No person is to use any land or erect or use any **building** or **structure** for the purpose of a **drive-through facility**, within any zone that also permits a **dwelling unit**.

(4) Drive-Through Facility – Principal Use in Combination with Other Uses

A **drive-through facility** is a principal use in combination with another use, neither of which is to be construed as being **ancillary** to the other, and all regulations pertaining to each use are to apply.

(5) Vehicle Stacking Space Dimensions

The minimum dimensions of a **vehicle** stacking space are 3.0 metres wide by 6.5 metres long.

(6) Drive-Through Facility – Stacking Aisle Provisions

A **drive-through facility** must comply with the following:

- (A) if a **drive-through facility** is in combination with any use involving food or beverage, a minimum of ten **vehicle** stacking spaces are to be provided in a **stacking aisle**; and

- (B) for a **drive-through facility** that is not in combination with a use selling food or beverage, a minimum of four **vehicle** waiting spaces are to be provided in a **stacking aisle**.

150.80.40 Building Regulations

(1) Drive-Through Facility – Separation Distance

All parts of a **drive-through facility**, including **stacking aisles**, are to be a minimum of 30.0 metres from any **lot** in a Residential Zone Category, Residential Apartment Zone Category; Commercial Residential Zone Category or Commercial Residential Employment Zone Category.

150.90 Vehicle Dealership

150.90.1 General

(1) Application of Regulations

The regulations in this section apply to every **vehicle dealership** and **premises** containing a **vehicle dealership** that are required to comply with the regulations contained in this Section (150.90).

150.90.20 Use Regulations

(1) Vehicle Dealership - Major Road Location

If a **vehicle dealership** is permitted in a zone, it must be located on a **lot** that fronts onto a **street** shown on the Major **Streets** Overlay Map.

(2) Vehicle Dealership- Ancillary Outside Display and Storage

The outside display or outside storage of **vehicles** is permitted as an **ancillary** use to a **vehicle dealership**, if:

- (A) the **vehicle dealership** occupies a minimum **interior floor area** of 150 square metres;
- (B) the **vehicles** being displayed or stored may not be located in required **parking spaces**;
- (C) the area used for the outside display or storage of **vehicles** is clearly identified and marked;
- (D) the area used for the outside display or storage of **vehicles** is to be at least 3.0 metres from any **lot line**; and
- (E) a minimum 3.0 metre wide strip of land used only for **soft landscaping** must be provided adjacent to a **street lot line**, between the **street** and all areas used for outside display or outside storage of **vehicles**.

150.90.50 Yards

(1) Vehicle Dealership- Fence abutting Residential

On a **lot** with a **vehicle dealership**, if an area used for **vehicle** display or storage abuts a **lot** in a Residential zone category or Residential Apartment Zone Category,

then a fence must be located adjacent to the part or **lot line** abutting the residential **lot**.

150.92 Vehicle Fuel Station

150.92.1 General

(1) Vehicle Fuel Station-General

The regulations in this section apply to every **vehicle fuel station** and **premises** containing a **vehicle fuel station** that are required to comply with the regulations contained in this Section (150.92).

150.92.20 Use Regulations

(2) Vehicle Fuel Stations- Regulations

If other uses are permitted in a zone and are located on a **lot** are in combination with a **vehicle fuel station**, the **building** containing the **vehicle fuel station** and other uses must comply with:

- (A) the requirements of the zone where these uses are located;
- (B) the requirements of the specific regulations applicable for a **vehicle fuel station**;
- (C) the requirements of the specific regulations applicable for the other uses; and
- (D) if the regulations in (A), (B), and (C) deal with the same matter, the most restrictive regulation governs.

(3) Vehicle Fuel Station -Ancillary Open Storage

A **vehicle fuel station** may have **ancillary open storage** if:

- (A) it is not more than 20% of the area of the **lot** not covered by wholly enclosed **buildings**; and
- (B) it is enclosed by a fence.

(4) Vehicle Fuel Station- Propane Tank Separation Requirements from a Lot in a Residential Zone Category

If a **vehicle fuel station** is permitted in a zone, the **vehicle fuel station** is permitted on a **lot** that abuts a **lot** in a Residential zone category or Residential Apartment zone category if any propane tank larger than 100 litres is set back a minimum of 7.5 metres from a **lot line** that abuts a **lot** in a Residential zone category or Residential Apartment zone category.

(5) ---

If a **vehicle fuel station** is permitted in a zone, the **vehicle fuel station** is permitted only if it does not contain more than 1500 litres of propane.

150.92.30 Lot Regulations

(1) Vehicle Fuel Station- Minimum Number Vehicle Access

A **lot** used for a **vehicle fuel station**, must have a minimum of two **driveway** access points from the **street** to the **lot**.

(2) Vehicle Fuel Station- Vehicle Access- Permitted Width

Each **vehicle** access to a **lot** containing a **vehicle fuel station** must be a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the **street lot line**.

(3) Vehicle Fuel Station-Lot Requirements

A **lot** containing a **vehicle fuel station** must have:

- (A) a minimum **lot frontage** of 30.0 metres; and
- (B) a minimum **lot depth** 45.0 metres.

(4) Vehicle Fuel Station- Vehicle Access- Separation Distances

Vehicle access to a **lot** containing a **vehicle fuel station** must comply with the following:

- (A) the minimum distance between each **vehicle** access on the same **lot** is 7.5 metres, measured along the **street lot line**; and
- (B) the minimum distance between a **vehicle** access and the **lot line** of any abutting **lot**, is 1.5 metres, measured along the **street lot line**.

(5) Vehicle Fuel Station- Vehicle Access for Corner Lots

If a **vehicle fuel station** is to be located on a **corner lot** each **driveway** access to the **lot** must be at least 7.5 metres from the point of intersection of the **front lot line** and **side lot line** or the projection of the **front lot line** and **side lot line**.

(6) Vehicle Fuel Station- Vehicle Access- Minimum Angle

If a **lot** contains a **vehicle fuel station**, a **driveway** providing direct access from a **street** or **lane** to a **lot** containing a **vehicle fuel station** may cross a required **landscaped** area, if the centre line of the part of the **driveway** crossing the required **landscaped** area is within 10 degrees of perpendicular to the part of the **lot line** over which access is taken.

150.92.40 Building Regulations

(1) Vehicle Fuel Station - Setbacks

If a **lot** contains a **vehicle fuel station** the following applies:

- (A) the minimum **side yard setback** for a **building** or **structure** is the greater of:
 - (i) 3.0 metres;
 - (ii) 4.5 metres if the **lot** abuts a **lot** in a residential zone;
 - (iii) 7.5 metres if a **side lot line** abuts a **street**; and
 - (iv) the minimum **side yard setback** required for the zone in which it is located; and
- (B) the minimum **rear yard setback** for a **building** or **structure** is the greater of:
 - (i) 3.0 metres;
 - (ii) 7.5 metres if the **lot** abuts a **lot** in a residential zone; and
 - (iii) the minimum **rear yard setback** required for the zone in which it is located; and
- (C) despite (A) and (B), the minimum setback from any **street lot line** to the edge of a weather canopy sheltering fuel pumps is 5.0 metres; and
- (D) despite (A) and (B), the minimum setback to a fuel pump island is:
 - (i) 7.5 metres from a **lot line** that abuts a **lot** in a Residential Zone Category; and
 - (ii) 6.0 metres from any other **lot line**.

150.92.50 Yards

(1) Vehicle Fuel Station - Soft Landscaping, Buffering and Barriers

If a **lot** is to contain a **vehicle** fueling station the **lot** must comply with the following requirements:

- (A) a minimum 1.5 metres wide strip of land used for **soft landscaped** and fence is to run along the entire length of a **lot line** that abuts a **street**, excluding the part used for **driveway** access to the **lot**; and
- (B) a minimum 3.0 metres wide strip of land used for **soft landscaped** and fence is to run along the entire length of a **lot line** that abuts a **lot** in a Residential zone category or residential Apartment zone category.

150.92.60 Ancillary Buildings and Structures

(1) Vehicle Fuel Station- Restrictions on Ancillary/Accessory Uses - Retail and Personal Service

If a **retail store** or **personal service shop** is together with a **vehicle fuel station**, and the **lot** abuts a **lot** in a Residential zone category, the maximum **interior floor area** used for a **retail store** and **personal service shop** may not be more than 140 square metres.

150.92.180 Exceptions

(1) Vehicle Fuel Station- Exemption from Lot Coverage

For a **lot** with a **vehicle fuel station**, a canopy sheltering a fuel pump may not be included in the calculation of **lot coverage**.

(2) Vehicle Fuel Station Canopy Exemption

Despite Clause 5.10.40.60 (1) of this By-law, a canopy associated with a **vehicle fuel station** with or without structural support, may encroach upon the required yard setback for a yard that abuts a **street**, provided that no part is located more than 6.0 metres above the elevation of the finished grade immediately below it.

150.94 Vehicle Service Shop

150.94.1 General

(1) Vehicle Fuel Shop - Application of Regulations

The regulations in this section apply to every **vehicle service shop** and **premises** containing a **vehicle service shop** that are required to comply with the regulations contained in this Section (150.94).

150.94.20 Use Regulations

(2) Vehicle Service Shop - Activity Limited to Inside Building

All activities of a **vehicle service shop** are to be conducted entirely within a wholly enclosed building

(3) Vehicle Service Shop- Ancillary Open Storage

A **vehicle service shop** may have **ancillary open storage** if:

- (A) it is not more than 20% of the area of the **lot** not covered by wholly enclosed **buildings**; and
- (B) it is enclosed by a fence.

150.94.30 Lot Regulations

(1) Vehicle Service Shop- Vehicle Access- Permitted Width

Each **vehicle** access to a **lot** containing a **vehicle service shop** must be a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the **street lot line**.

(2) Vehicle Service Shop- Vehicle Access- Separation Distances

If a **vehicle service shop** is to be located on a **lot**, each **driveway** access to the **lot** to be at least:

- (A) 7.5 metres from any other **driveway** access on the **lot**; and
- (B) 3.0 metres from any **lot line** of an abutting **lot**.

(3) Vehicle Service Shop- Vehicle Access for Corner Lots

If a **vehicle service shop** is to be located on a **corner lot** each **driveway** access to the **lot** must be at least 7.5 metres from the point of intersection of the **front lot line** and **side lot line** or the projection of the **front lot line** and **side lot line**.

150.94.40 Building Regulations

(1) Vehicle Service Shop - Setbacks

If a **lot** contains a **vehicle service shop**, a **building** or **structure** on the **lot** must be setback:

- (A) from a **side lot line** at least, the greater of:
 - (i) 3.0 metres;
 - (ii) 4.5 metres if the **lot** abuts a **lot** in a residential zone category;
 - (iii) 7.5 metres if a **side lot line** abuts a **street**; or
 - (iv) the minimum set back from a **side lot line**, required for the zone in which it is located; and
- (B) from a **rear lot line** at least, the greater of:
 - (i) 3.0 metres;
 - (ii) 7.5 metres, if the **lot** abuts a **lot** in a residential zone category; or
 - (iii) the minimum set back from a **rear lot line**, required for the zone in which it is located.

150.94.50 Yards

(1) Vehicle Service Shop - Soft Landscaping, Buffering and Barriers

If a **lot** is to contain a **vehicle service shop** the **lot** must comply with the following requirements:

- (A) a minimum 1.5 metres wide strip of land used for **soft landscaped** and fence is to run along the entire length of a **lot line** that abuts a **street**, excluding the part used for **driveway** access to the **lot**; and
- (B) a minimum 3.0 metres wide strip of land used for **soft landscaped** and fence is to run along the entire length of a **lot line** that abuts a **lot** in a Residential zone category or residential Apartment zone category.

150.96 Vehicle Washing Establishment

150.96.1 General

(1) Application of Regulations

The regulations in this section apply to every washing establishment and **premises** containing a **vehicle washing establishment**, with an **interior floor area** of more than

38 square metres and that are required to comply with the regulations contained in this Section (150.96).

150.96.20 Use Regulations

(2) Vehicle Washing Establishment- Activity Limited to Inside Building

For a **lot** with a **vehicle washing establishment**, all mechanical washing, waxing and drying operations are to be conducted entirely within an enclosed **building**.

(3) Vehicle Washing Establishment- Stacking Aisle Requirements

A mechanical **vehicle washing establishment** is to provide the following:

(A) a minimum of 10 **vehicle** waiting spaces are to be provided in a **stacking aisle** on the same **lot**; and

(B) the minimum dimensions of a **vehicle** stacking space are 3.0 metres wide by 6.5 metres long.

(4) Vehicle Washing Establishment with Vehicle Fuel Stations

If permitted in a zone, a **vehicle washing establishment** may be located on the same **lot** as a **vehicle fuel station**, if

(A) the **lot** abuts a **street** on the Major **Streets** Overlay map; and

(B) the **street** has right-of-way width, along the frontage of the **lot**, of at least 26.0 metres.

150.96.30 Lot Regulations

(1) Vehicle Washing Establishment - Location

If permitted in a zone, a **lot** containing a **vehicle washing establishment** must front on an **street** on the Major **Streets** Overlay map having a right-of-way width, along the frontage of the **lot**, of at least 26.0 metres.

(2) Vehicle Washing Establishment- Vehicle Access- Permitted Width

Each **vehicle** access to a **lot** containing a **vehicle washing establishment** must be a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the **street lot line**.

(3) Vehicle Washing Establishment - Rear Fence Requirements

On a **corner lot** containing a **vehicle washing establishment**, the **lot lines** that do not abut a **street** are to be fenced.

(4) Vehicle Washing Establishment- Vehicle Access- Separation Distances

Vehicle access to a **lot** containing a **vehicle washing establishment** must comply with the following:

(A) the minimum distance between each **vehicle** access on the same **lot** is 7.5 metres, measured along the **street lot line**; and

(B) the minimum distance between a **vehicle** access and the **lot line** of any abutting **lot**, is 3.0 metres, measured along the **street lot line**.

(5) Vehicle Washing Establishment- Vehicle Access for Corner Lots

If a **vehicle washing establishment** is to be located on a **corner lot** each **driveway** access to the **lot** must be at least 7.5 metres from the point of intersection of the **front lot line** and **side lot line** or the projection of the **front lot line** and **side lot line**.

(6) Vehicle Washing Establishment-Vehicle Access- Minimum Angle

A **driveway** providing direct access from a **street** or **lane** to a **lot** containing a **vehicle washing establishment** may cross a required **landscaped** area, if the centre line of the part of the **driveway** crossing the required **landscaped** area is within 10 degrees of perpendicular to the part of the **lot line** over which access is taken.

150.96.40 Building Regulations

(1) Vehicle Washing Establishment- Setbacks

If a **lot** contains a **vehicle washing establishment**, a **building** or **structure** on the **lot** must be setback:

(A) from a **side lot line** at least, the greater of:

- (i) 1.5 metres;
- (ii) 3.0 metres if the **lot** abuts a **lot** in a Residential Zone category or Residential Apartment zone category; or
- (iii) the minimum set back from a **side lot line**, required for the zone in which it is located; and

(B) from a **rear lot line** at least, the greater of:

- (i) 7.5 metres, if the **lot** abuts a **lot** in a residential zone category; or
- (ii) the minimum set back from a **rear lot line**, required for the zone in which it is located.

(2) Vehicle Washing Establishment- Setbacks from exit

The vehicular exit from a **building** containing a **vehicle washing establishment** must be set back a minimum of 12.0 metres from any **lot line** abutting a **street**.

150.96.60 Ancillary Buildings and Structures

(1) Vehicle Washing Establishment - Restrictions on Ancillary Uses - Retail

If a **retail store** or **personal service shop** is together on a **lot** with a **vehicle washing establishment**, 20.0 square metres is the total **interior floor area** that may be used for a **retail store**, **personal service shop** or both.

150.98 Banquet Hall

150.98.1 General

(1) Application of Regulations

The regulations in this section apply to every banquet hall and **premises** containing a banquet hall that are required to comply with the regulations contained in this Section (150.98).

150.98.30 Lot Regulations

(1) Banquet Hall - Separation from Residential

A **lot** containing a banquet hall that has an **interior floor area** larger than 1,000 square metres must be at least 300 metres from a **lot** in a Residential zone category or Residential Apartment zone category.

This regulation does not to apply if the banquet hall is **ancillary** to a **hotel**.

150.100 Eating Establishment

150.100.1 General

(1) Application of Regulations

The regulations in this section apply to every **eating establishment** and **premises** containing an **eating establishment** that are required to comply with the regulations contained in this Section (150.100).

150.100.20 Use Regulations

(2) Eating Establishment - Ancillary Uses

In an **Eating Establishment**, all **ancillary** uses:

- (A) may occupy a maximum of 6% of the total **interior floor area** of the **eating establishment** to a maximum of 50 square metres; and
- (B) other than an **outdoor patio**, are to be contained entirely within the **building** where the **eating establishment** is located.

150.100.30 Lot Regulations

(1) Eating Establishment - Fence Required if abutting a Lot in a Residential Zone

If a **lot** containing an **eating establishment** abuts a **lot** in a Residential zone category or Residential Apartment zone category a fence is required along the portion of **lot line** that abuts the **lot** in the Residential zone category or Residential Apartment zone category.

(2) Eating Establishment - Separation from Residential

A **lot** containing an **eating establishment** that has an **interior floor area** larger than 1,000 square metres must be a minimum of 300 metres from a **lot** in a Residential zone category or Residential Apartment zone category.

This regulation does not to apply if the banquet hall is **ancillary** to a **hotel**.

150.110 Adult Entertainment Establishment

150.110.1 General

(1) Application of Regulations

The regulations in this section apply to every **adult entertainment establishment** and **premises** containing an **adult entertainment establishment** that are required to comply with the regulations contained in this Section (150.110).

150.110.10 Interpretation

(1) Interpretation of Definition

For the purpose of the definition, **Adult Entertainment Establishment**, the following meanings are to apply:

- (A) the term “provided” includes services furnished, performed, solicited, or given in pursuance of a business, trade, or occupation, and “providing” and “provision” have corresponding meanings;
- (B) the term “services” includes activities, facilities, performances, exhibitions, viewings and encounters; and
- (C) the phrase “services designed to appeal to erotic or sexual appetites or inclinations”

includes:

- (i) services of which a principal feature or characteristic is the nudity or partial nudity of any person; or
- (ii) service in respect of which the word “nude”, “naked”, “topless”, “bottomless”, “sexy” or any other word or any other picture, symbol or representation having like meaning or implication is used in any advertisement.

150.110.20 Use Regulations

(1) Adult Entertainment Establishment- Hotel Criteria

If an **adult entertainment establishment** is permitted in a zone it is only located in a **hotel** having 50 or more bedrooms.

150.110.30 Lot Regulations

(1) Adult Entertainment Establishment- Separation Distance

If an **adult entertainment establishment** is permitted, it must comply with the following:

(A) a **lot** containing an **adult entertainment establishment** must be a minimum of 500 metres from a **lot** in a Residential zone category, Residential Apartment Zone category or Institutional School Zone; and

(B) a **lot** containing an **adult entertainment establishment** must be a minimum of 100 metres from any other **lot** containing an **adult entertainment establishment**.

(2) Adult Entertainment Establishment-Separation Distance from a Lot in a Residential Zone

A **lot** with a **premises** which provide food or beverage and entertainment, such as music and dancing, must be at least 90.0 metres from a **lot** in a Residential zone category.

150.120 Funeral Home

150.120.1 General

(1) Application of Regulations

Every **funeral home** and every **building** containing a **funeral home** must comply with the regulations contained in this Section (150.120).

The regulations in this section apply to every **funeral home** and **premises** containing a **funeral home** that are required to comply with the regulations contained in this Section (150.120).

150.120.30 Lot Regulations

(2) Funeral Home- Location

If a **funeral home** is permitted in a zone it is only permitted on a **lot** that abuts a **street** on the Major **Streets** Overlay map.

150.120.50 Yards

(1) Funeral Home - Fencing

If a **funeral home** is permitted on a **lot** that abuts a **lot** in a Residential Zone category or Residential Apartment Zone category, a fence will be located along the entire portion of the **lot line** that abuts the **lot** in the Residential Zone category or Residential Apartment Zone category.

150.120.80 Parking

(1) Funeral Home- Parking Area Setback

If a **funeral home** is on a **lot** that abuts a **lot** in a Residential Zone category or Residential Apartment Zone category, the area containing **parking spaces** must be at least 3.0 metres from the **lot line** that abuts a **lot** in a Residential Zone category or Residential Apartment Zone category.

150.200 Uses Involving Chemicals

150.200.1 General

(1) Sensitive Uses

For the purpose of Section 150.200, a sensitive use is:

- (A) **dwelling unit**;
- (B) **public school**;
- (C) **private school**;
- (D) post secondary school;
- (E) **day nursery**;
- (F) **hotel**, motel;
- (G) jail, prison or detention centre;
- (H) **nursing home**;
- (I) **retirement home**;
- (J) **place of worship**;
- (K) **student residence**; and
- (L) **religious residence**.

(2) Limitation on Tank Size for Chemicals

Storage tanks for any liquid or gaseous chemical must be limited to a maximum size of 10,000 litres.

150.200.20 Use Regulations

(1) Lot Separation Based Upon Chemicals

Despite regulations to the contrary, a sensitive use may not be located on a **lot** that is less than 25.0 metres from a **lot** in an EL zone and 60.0 metres from a **lot** in an E or EH zone.

- (A) **dwelling unit**;
- (B) **public school**;
- (C) **private school**;
- (D) post secondary school;

- (E) **day nursery;**
- (F) **hotel, motel;**
- (G) **jail, prison or detention centre;**
- (H) **nursing home;**
- (I) **retirement home;**
- (J) **place of worship;**
- (K) **student residence; and**
- (L) **religious residence.**

(2) Chemical Separation Distances Table

(There currently are no chemical separation tables)

Chapter 200 Parking Space Regulations

200.5 Regulations applying to Parking Spaces

200.5.1 General

(1) Application of Section

The regulations contained in Section 200.5 apply to all **parking spaces**.

200.5.1.10 Interpretation

(1) Application of Parking Space Rates in Policy Areas 3 and 4

If a **lot** is located entirely or partly within Policy Area 3 or Policy Area 4 as shown on the Policy Area Overlay Map, the applicable parking rate for a use in that Policy Area:

(A) applies to the entire property, if the **lot area** located between the **lot line** abutting the **street** in the Policy Area and the portion of the **lot** that is located within 40.0 metres of that **lot line**:

(i) has within it the entire principal **building** on the **lot**; or

(ii) the principal **building** on the **lot** covers a minimum of 50% of that area; and

(B) in all other cases, the entire property must comply with the parking requirements for lands not in Policy Area 1, Policy Area 2, Policy Area 3 or Policy Area 4.

(2) Parking Space Dimensions - Minimum

(A) The minimum dimensions of a **parking space** are:

(i) length - 5.6 metres

(ii) width - 2.6 metres

(iii) vertical clearance - 2.0 metres

except that the minimum required width of a **parking space** must be increased by 0.3 metres for each side of the **parking space** that is obstructed in accordance with (Clause) (D).

(B) For a **parking space** accessed by a **drive aisle** having a width of less than 6.0 metres, whether it is a one-way or two-way **drive aisle**, the minimum dimensions of a **parking space** are:

(i) length - 5.6 metres

(ii) vertical clearance - 2.0 metres

(iii) width - 2.9 metres

except that the minimum required width of a **parking space** must be increased by 0.3 metres if one or both sides of the **parking space** is obstructed in accordance with (D).

(C) The minimum dimensions of a **parking space** that is adjacent and parallel to a **drive aisle** from which access is provided is:

- (i) length - 6.7 metres
- (ii) vertical clearance - 2.0 metres
- (iii) width - 2.6 metres

except that the minimum required width of a **parking space** must be increased by 0.3 metres if one side of the **parking space** is obstructed in accordance with (D).

(D) For the purposes of this By-law, the side of a **parking space** is obstructed if any part of a fixed object such as a wall, column, bollard, fence or pipe is situated:

- (i) within 0.3 metres of the side of the **parking space**, measured at right angles, and
- (ii) more than 1.0 metre from the front or rear of the **parking space**.

(3) Tandem Parking Spaces

Unless otherwise stated in this By-law, a required **parking space** may not be a **tandem parking space**.

(4) Tandem Parking Space Dimensions

If a **tandem parking space** is permitted, it must comply with the following:

(A) A **tandem parking space**, if permitted in the **front yard** of a **lot** in a Residential zone category, must have the following minimum dimensions:

Length: 5.6 metres
Width: 2.6 metres
vertical clearance: 2.0 metres

(B) If permitted, all other **tandem parking spaces** are to have the following minimum dimensions:

Length: 6.7 metres
Width: 2.6 metres
vertical clearance: 2.0 metres

(5) Calculation of Required Parking Space - Vacant Building Space

The **parking space** requirement for vacant **building** space is to be calculated as follows:

(A) if a **building** or part of a **building** has never been used, and its intended use has never been identified together with any **building** permit, the **parking space**

requirement must be based on the permitted use that has the lowest minimum **parking space** requirement; or

(B) the **parking space** requirement is to be calculated based on the following, whichever is the most recent occurrence:

- (i) the previous use of that **building** or part of the **building**; or
- (ii) the land use identified on the issued **building** permit.

(7) Calculation of Parking Space Requirement

If a parking rate in this By-law is expressed as a ratio of **parking spaces** to the **gross floor area**, the **parking space** requirement for a use is to be calculated by multiplying the applicable **gross floor area** of the use by the applicable rate.

(8) Calculation of Parking Space Requirements - Rounding

If the calculation of the number of required **parking spaces** results in a number containing a fraction, the number must be rounded down to the nearest whole number, but in no case is there to be less than one **parking space** be provided.

(9) Parking Space to be Clearly Marked

All **parking spaces** required for a non-residential use are to be clearly identified and marked.

(10) Parking Space Access

Other than parking stackers and **tandem parking spaces**, all areas used for required **parking spaces** must have **driveway** access to a **street** or **lane** that is direct and unobstructed, except for a gate, moveable barrier or similar obstruction.

(11) Vehicle Access to Building - Non-residential and Apartment Parking Area

If an **apartment building** or a **building** containing non-residential uses, has an area for the parking or storage of two or more **vehicles**:

(A) the **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.5 metres; and

(B) the **vehicle** entrance or exit for a one-way **driveway** into or out of the **building** must have a minimum width of 3.5 metres, if that the **vehicle** entrance or exit is 6.0 metres or more away from the **street lot line**.

(12) Parking Space Dimensions - Maximum

Unless otherwise permitted in this by-law the maximum dimensions for a **parking space** are:

- (i) length - 6.0 metres
- (ii) width - 3.0 metres
- (iii) vertical clearance - 2.0 metres

200.5.10 Parking Rates

200.5.10.10 General

(1) Parking Space Rates

Unless otherwise stated in this By-law, off-**street parking spaces** are to be provided

for every **building** or **structure** erected, altered or enlarged, in conformity with the (Table 200.5.10.10 - **Parking Space Rates And Parking Space Occupancy**) below:

Table 200.5.10.10
PARKING SPACE RATES AND PARKING SPACE OCCUPANCY

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|------------------------|--|------------------------|------|------|
| | | AM | PM | Eve |
| Adult Education School | AM = 6 a.m. to Noon. PM = Noon to 6 p.m. Eve = 6 p.m. to 6 a.m. Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate of 1.0 for each 100 square metres of gross floor area; (B) in Policy Area 4 (PA4) at a minimum rate of 1.5 for each 100 square metres of gross floor area; and (C) in all other areas of the City, at a minimum rate of 2.0 for each 100 square metres of gross floor area. | 100% | 100% | 25% |
| Adult Entertainment | Parking spaces must be provided: (A) in Policy Area 1 (PA1) at a minimum rate of 3.0 for each 100 square metres of gross floor area; (B) in Policy Area 2 (PA2) at a minimum rate of 4.5 for each 100 square metres of gross floor area; (C) in Policy Area 3 (PA3) at a minimum rate of 5.5 for each 100 square metres of gross floor area; (D) in Policy Area 4 (PA4) at a minimum rate of 5.5 for each 100 square metres of gross floor area; and (E) in all other areas of the City, at a minimum rate of 7.0 for each 100 square metres of gross floor area; | 25% | 100% | 100% |
| Alternative Housing | Parking spaces must be provided at a minimum rate of 0.1 for each dwelling unit. | 100% | 100% | 100% |
| Ambulance Station | Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area. | 100% | 100% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m.

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--------------------------------------|--|------------------------|------|------|
| | | AM | PM | Eve |
| Apartment Building | <p>If a dwelling unit is located in an apartment building, parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1):</p> <p>(i) at a minimum rate of :</p> <p>(a) 0.3 for each bachelor dwelling unit;</p> <p>(b) 0.5 for each one bedroom dwelling unit;</p> <p>(c) 0.8 for each two bedroom dwelling unit; and</p> <p>(d) 1.0 for each three or more bedroom dwelling unit; and</p> <p>(ii) at a maximum rate of:</p> <p>(a) 0.4 for each bachelor dwelling unit;</p> <p>(b) 0.7 for each one bedroom dwelling unit;</p> <p>(c) 1.2 for each two bedroom dwelling unit; and</p> <p>(d) 1.5 for each three or more bedroom dwelling unit; and</p> <p>(B) in Policy Area 2 (PA2) and Policy Area 3 (PA3):</p> <p>(i) at a minimum rate of :</p> <p>(a) 0.6 for each bachelor dwelling unit;</p> <p>(b) 0.7 for each one bedroom dwelling unit;</p> <p>(c) 0.9 for each two bedroom dwelling unit; and</p> <p>(d) 1.0 for each three or more bedroom dwelling unit; and</p> <p>(ii) at a maximum rate of:</p> <p>(a) 0.9 for each bachelor dwelling unit;</p> <p>(b) 1.0 for each one bedroom dwelling unit;</p> <p>(c) 1.3 for each two bedroom dwelling unit; and</p> <p>(d) 1.5 for each three or more bedroom dwelling unit; and</p> <p>(C) in Policy Area 1 (PA4):</p> <p>(i) at a minimum rate of :</p> <p>(a) 0.7 for each bachelor dwelling unit;</p> <p>(b) 0.8 for each one bedroom dwelling unit;</p> <p>(c) 0.9 for each two bedroom dwelling unit; and</p> <p>(d) 1.1 for each three or more bedroom dwelling unit; and</p> <p>(ii) at a maximum rate of:</p> <p>(a) 1.0 for each bachelor dwelling unit;</p> <p>(b) 1.2 for each one bedroom dwelling unit;</p> <p>(c) 1.3 for each two bedroom dwelling unit; and</p> <p>(d) 1.6 for each three or more bedroom dwelling unit; and</p> <p>(D) in all other areas of the City:</p> <p>(i) at a minimum rate of :</p> <p>(a) 0.8 for each bachelor dwelling unit;</p> <p>(b) 0.9 for each one bedroom dwelling unit;</p> <p>(c) 1.0 for each two bedroom dwelling unit; and</p> <p>(d) 1.2 for each three or more bedroom dwelling unit.</p> | 100% | 100% | 100% |
| Apartment Building - Visitor Parking | <p>If a dwelling unit is located in an Apartment Building, parking spaces for visitors must be provided:</p> <p>(A) in Policy Area 1 (PA1) at a minimum rate of 0.1 for each dwelling unit;</p> <p>(B) in Policy Area 2 (PA2) at a minimum rate of 0.1 for each dwelling unit;</p> <p>(C) in Policy Area 3 (PA3) at a minimum rate of 0.1 for each dwelling unit;</p> <p>(D) in Policy Area 4 (PA4) at a minimum rate of 0.15 for each dwelling unit; and</p> <p>(E) in all other areas of the City at a minimum rate of 0.2 for each dwelling unit.</p> | 0% | 35% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|------------------------------|---|------------------------|------|------|
| | | AM | PM | Eve |
| Art Gallery, Museum, Library | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</p> <p>(B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area.</p> | 25% | 100% | 100% |
| Assisted Housing | <p>If a dwelling unit is located in an Apartment Building, parking spaces for visitors must be provided:</p> <p>(A) in Policy Area 1 (PA1) for each dwelling unit at a minimum rate of</p> <p>(i) 0.12 for a Bachelor;</p> <p>(ii) 0.18 for a one bedroom;</p> <p>(iii) 0.3 for a two bedroom; and</p> <p>(iv) 0.5 for three bedroom or more; and</p> <p>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4), for each dwelling unit at a minimum rate of:</p> <p>(i) 0.14 for a Bachelor;</p> <p>(ii) 0.24 for a one bedroom;</p> <p>(iii) 0.4 for a two bedroom; and</p> <p>(iv) 0.75 for three bedroom or more; and</p> <p>(C) in all other areas of the City for each dwelling unit at a minimum rate of:</p> <p>(i) 0.16 for a Bachelor;</p> <p>(ii) 0.3 for a one bedroom;</p> <p>(iii) 0.5 for a two bedroom; and</p> <p>(iv) 0.9 for three bedroom or more.</p> | 100% | 100% | 100% |
| Auto Showroom | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4):</p> <p>(i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 1.5 for each 100 square metres of gross floor area; and</p> <p>(B) in all other areas of the City at a minimum rate of 3.5 for each 100 square metres of gross floor area.</p> | 100% | 100% | 100% |
| Banquet Hall | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) at a minimum rate of 3.0 for each 100 square metres of gross floor area;</p> <p>(B) in Policy Area 2 (PA2) at a minimum rate of 4.5 for each 100 square metres of gross floor area;</p> <p>(C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate of 5.5 for each 100 square metres of gross floor area; and</p> <p>(D) in all other areas of the City at a minimum rate of 7.0 for each 100 square metres of gross floor area.</p> | 25% | 100% | 100% |
| Billiard Hall, Pool Hall | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) at a minimum rate of 2.5 for each 100 square metres of gross floor area;</p> <p>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate of 3.5 for each 100 square metres of gross floor area; and</p> <p>(C) in all other areas of the City at a minimum rate of 4.0 for each 100 square metres of gross floor area.</p> | 25% | 50% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|---|------------------------|------|------|
| | | AM | PM | Eve |
| Boarding Kennel | Parking spaces must be provided at a minimum rate of 2.0 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Bowling Alley | Parking spaces must be provided: (A) in Policy Area 1 (PA1) at a minimum rate of 2.5 for each 100 square metres of gross floor area; (B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate of 3.5 for each 100 square metres of gross floor area; and (C) in all other areas of the City at a minimum rate of 4.0 for each 100 square metres of gross floor area. | 25% | 50% | 100% |
| Bus Station | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate of 0.1 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 0.2 for each 100 square metres of gross floor area. | 100% | 100% | 50% |
| Cartage, Express or Truck Transport Yard or Terminal | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate of 0.1 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 0.2 for each 100 square metres of gross floor area. | 100% | 100% | 50% |
| Cemetery, Visitation Centre | Parking spaces must be provided at a minimum rate of 2.0 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Club | Parking spaces must be provided: (A) in Policy Area 1 (PA1), at a minimum rate of 3.0 for each 100 square metres of gross floor area; (B) in Policy Area 2 (PA2), at a minimum rate of 4.5 for each 100 square metres of gross floor area; (C) in Policy Area 3 (PA3) and Policy Area 4 (PA4), at a minimum rate of 5.5 for each 100 square metres of gross floor area; (D) in all other areas of the City at a minimum rate of 7.0 for each 100 square metres of gross floor area. | 25% | 75% | 100% |
| Commercial School | Parking spaces must be provided: (A) in Policy Area 1 (PA1) and Policy Area 2 (PA2), at a minimum rate of 0.5 for each 100 square metres of gross floor area; (B) in Policy Area 3 (PA3) at a minimum rate of 1.5 for each 100 square metres of gross floor area; (C) in Policy Area 4 (PA4) at a minimum rate of 2.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City at a minimum rate of 3.0 for each 100 square metres of gross floor area. | 100% | 100% | 50% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|--|------------------------|------|------|
| | | AM | PM | Eve |
| Community Centre | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3): (i) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 1.3 for each 100 square metres of gross floor area; and (B) in Policy Area 4 (PA4): (i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 1.5 for each 100 square metres of gross floor area; and (C) in all other areas of the City at a minimum rate of 3.5 for each 100 square metres of gross floor area. | 25% | 100% | 100% |
| Contractor's Yard | Parking spaces must be provided at a minimum rate of 0.5 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Court House | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4): (i) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 1.0 for each 100 square metres of gross floor area. | 100% | 100% | 0% |
| Crisis Care Shelter, Municipal Shelter | Parking spaces must be provided: (A) at a minimum rate of 0.22 for each 100 square metres of gross floor area; and (B) at a maximum rate of 1.5 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Day Nursery | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4): (i) at a minimum rate of 0.4 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 0.8 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 1.0 for each 100 square metres of gross floor area. | 100% | 100% | 50% |
| Dwelling Unit in a Detached House, Semi-detached House, Townhouse, Duplex, Triplex or Fourplex | Parking spaces must be provided at a minimum rate of 1.0 per dwelling unit. | 100% | 100% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|------------------------------|--|------------------------|------|------|
| | | AM | PM | Eve |
| Eating Establishment | <p>Parking spaces must be provided:</p> <p>(A) in Parking Area 1 (PA1): (i) at a minimum of 0; and (ii) at a maximum rate of 3.5 for each 100 square metres of gross floor area; and (B) in Parking Area 2 (PA2): (i) at a minimum of 0; and (ii) at a maximum rate of 4.0 for each 100 square metres of gross floor area; and (C) in Parking Areas and 3 (PA3) and 4 (PA4) : (i) at a minimum of 0; and (ii) at a maximum rate of 5.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City: (i) where the gross floor area used for an eating establishment in a building is less than 200 square metres no parking space is required; (ii) where the gross floor area used for an eating establishment in a building is 200 square metres or more but less than 500 square metres, parking spaces must be provided at a minimum rate of 3.0 for each 100 square metres of gross floor area; and (iii) where the gross floor area used for an eating establishment in a building is 500 square metres or more, parking spaces must be provided at a minimum rate of 5.0 for each 100 square metres of gross floor area;</p> | 100% | 100% | 100% |
| Financial Institution (bank) | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) the following applies: (i) a minimum rate of 2.0 for each 100 square metres of gross floor area; (ii) a maximum rate of 3.5 for each 100 square metres of gross floor area; and (B) in Policy Area 2 (PA2), 3 (PA3) and 4 (PA4) the following applies: (i) a minimum rate of 2.0 for each 100 square metres of gross floor area; (ii) a maximum rate of 4.5 for each 100 square metres of gross floor area; and (C) in all other areas of the City, at a minimum rate of 4.0 for each 100 square metres of gross floor area.</p> | 20% | 100% | 50% |
| Fire Station | <p>Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area.</p> | 100% | 100% | 100% |
| Funeral Home | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) and Policy Area 2 (PA2): (i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 4.0 for each 100 square metres of gross floor area; and (C) in Policy Area 3 (PA3): (i) at a minimum rate of 2.0 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 5.0 for each 100 square metres of gross floor area; and (D) in Policy Area 4 (PA4): (i) at a minimum rate of 3.0 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 6.0 for each 100 square metres of gross floor area; and (E) in all other areas of the City at a minimum rate of 6.0 for each 100 square metres of gross floor area.</p> | 20% | 100% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|--|------------------------|------|------|
| | | AM | PM | Eve |
| Golf Course | The minimum number of parking space to be provided is the greater of: (A) 24; and (B) 3.5 for each 100 square metres of gross floor area of all buildings. | 100% | 100% | 100% |
| Grocery Store | Parking spaces must be provided if the gross floor area used for a grocery store is greater than 200 square metres: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4): (i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 4.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City, at a minimum rate of 2.5 for each 100 square metres of gross floor area; and (C) if the gross floor area is 200 square metres or less, no parking space is required. | 20% | 100% | 100% |
| Group Home | The minimum number of parking space to be provided is 2. | 100% | 100% | 100% |
| Home for the Aged, Convalescent Home, Nursing Home | Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room | 100% | 100% | 100% |
| Hospital | Parking spaces must be provided : (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at: (i) a minimum rate of 0.4 for each 100 square metres of gross floor area; and (ii) a maximum rate of 0.8 for each 100 square metres of gross floor area; and (B) in all other areas of the City, at a minimum rate of 3.5 for each 100 square metres of gross floor area. | 20% | 100% | 100% |
| Hotel / Motel | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4); (i) a minimum rate of 0.2 per 100 square metres of gross floor area; (ii) a maximum rate of 1.0 per 100 square metres of gross floor area; and (B) in all other areas of the City, at a minimum rate of 1.0 for each guest room; | 80% | 75% | 100% |
| Hotel / Motel (convention, banquet or meeting rooms) | Parking spaces must be provided at a minimum rate of 7.0 for each 100 square metres of gross floor area used as public rooms. | 25% | 100% | 100% |
| Industrial Skills Training | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2) at a minimum rate of 2.0 for each 100 square metres of gross floor area; (B) in Policy Area 3 (PA3) at a minimum rate of 2.5 for each 100 square metres of gross floor area; (C) in Policy Area 4 (PA4) at a minimum rate of 3.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City, at a minimum rate of 5.0 for each 100 square metres of gross floor area. | 100% | 100% | 0% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|--|------------------------|------|------|
| | | AM | PM | Eve |
| <p>Industrial Uses including:</p> <p>Aerospace Product and Parts Manufacturing Agricultural, Construction and Mining Machinery Manufacturing Alumina and Aluminium Production and Processing Animal Food Manufacturing Architectural and Structural Metals Manufacturing Audio and Video Equipment Manufacturing Bakeries and Tortilla Manufacturing Basic Chemical Manufacturing Beverage Manufacturing Bindery Boiler, Tank and Shipping Container Manufacturing Building Supply Yards Cement and Concrete Product Manufacturing Chemical Materials Storage Clay Product and Refractory Manufacturing</p> <p>Clothing Accessories and Other Clothing Manufacturing Clothing Knitting Mills Coating, Engraving, Heat Treating and Allied Activities Commercial and Service Industry Machinery Manufacturing Communications Equipment Manufacturing Computer and Peripheral Equipment Manufacturing Contractor's Establishment Converted Paper Product Manufacturing Cut and Sew Clothing Manufacturing Cutlery and Hand Tool Manufacturing Dairy Product Manufacturing Dry Cleaning or Laundry Plant</p> <p>Electric Lighting Equipment Manufacturing Electrical Equipment Manufacturing Engine, Turbine and Power Transmission Equipment Manufacturing Fabric Mills Fibre, Yarn and Thread Mills Food Warehouse Footwear Manufacturing Fruit and Vegetable Preserving and Speciality Food Manufacturing Glass and Glass Product Manufacturing Grain and Oilseed Milling Hardware Manufacturing Household and Institutional Furniture and Kitchen Cabinet Manufacturing</p> | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4), at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City, at a minimum rate of 1.0 for each 100 square metres of gross floor area.</p> | 100% | 100% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|--|------------------------|----|-----|
| | | AM | PM | Eve |
| (Industrial Uses cont'd) Household Appliance Manufacturing Industrial Machinery Manufacturing Industrial Sales and Service Use Laboratory Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing Manufacturing and Reproducing Magnetic and Optical Media Meat Product Manufacturing Medical Equipment and Supplies Manufacturing Metalworking Machinery Manufacturing Motor Vehicle Body and Trailer Manufacturing Motor Vehicle Manufacturing Motor Vehicle Parts Manufacturing Navigational, Measuring, Medical and Control Instruments Manufacturing Non-Ferrous Metal (except Aluminium) Production and Processing Office Furniture (including Fixtures) Manufacturing Other Chemical Product Manufacturing Other Electrical Equipment and Component Manufacturing Other Fabricated Metal Product Manufacturing Other Food Manufacturing Other Furniture-Related Product Manufacturing Other General-Purpose Machinery Manufacturing Other Leather and Allied Product Manufacturing Other Miscellaneous Manufacturing Other Non-Metallic Mineral Product Manufacturing Other Textile Product Mills Other Transportation Equipment Manufacturing Other Wood Product Manufacturing Paint, Coating and Adhesive Manufacturing Pesticide, Fertilizer and Other Agricultural Chemical Manufacturing Petroleum and Coal Product Manufacturing Pharmaceutical and Medicine Manufacturing Plastic Product Manufacturing Printing and Related Support Activities Propane Transfer, Handling and Storage Facility Pulp, Paper and Paperboard Mills Railroad Rolling Stock Manufacturing Resin, Synthetic Rubber, and Artificial and Synthetic Fibres and Filaments Manufacturing Rubber Product Manufacturing Sawmills and Wood Preservation Seafood Product Preparation and Packaging Semiconductor and Other Electronic Component Manufacturing Shipping Terminal Soap, Cleaning Compound and Toilet Preparation Manufacturing | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4), at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City, at a minimum rate of 1.0 for each 100 square metres of gross floor area. | | | |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|---|------------------------|------|------|
| | | AM | PM | Eve |
| Software Development and Processing Spring and Wire Product Manufacturing Steel Product Manufacturing from Purchased Steel Sugar and Confectionary Product Manufacturing Textile and Fabric Finishing and Fabric Coating Textile Furnishings Mills Tobacco Manufacturing Veneer, Plywood and Engineered Wood Product Manufacturing Ventilation, Heating, Air-Conditioning and Commercial Refrigeration Equipment | | | | |
| Medical Office | Parking spaces must be provided: (A) in Policy Area 1 (PA1) the following applies: (i) a minimum rate of 0.3 for each 100 square metres of gross floor area; (ii) a maximum rate of 3.0 for each 100 square metres of gross floor area; and (B) in Policy Area 2 (PA2) : (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) a maximum rate of 3.5 for each 100 square metres of gross floor area; and (C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies: (i) a minimum rate of 1.5 for each 100 square metres of gross floor area; (ii) a maximum rate of 6.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City, at a minimum rate of 3.0 for each 100 square metres of gross floor area. | 100% | 100% | 50% |
| Multiple Dwelling Unit Buildings - Resident Parking | Parking spaces must be provided at a minimum rate of 1.0 for each dwelling unit. | 100% | 100% | 100% |
| Multiple Dwelling Unit Buildings - Visitor Parking | Parking spaces must be provided at a minimum rate of 0.5 for each dwelling unit. | 100% | 100% | 100% |
| Municipal Shelter, Crisis Care Facility | Parking spaces must be provided: (A) at a minimum rate of 0.22 for each 100 square metres of gross floor area; and (B) at a maximum rate of 1.5 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Nightclub | Parking spaces must be provided at the minimum rate of: (A) 3.0 for each 100 square metres for gross floor area in Policy Area 1 (PA1) ; (B) 4.5 for each 100 square metres for gross floor area in Policy Area 2 (PA2); (C) 5.5 for each 100 square metres for gross floor area in Policy Area 3 (PA3) and Policy Area 4 (PA4); and (D) 7.0 for each 100 square metres for gross floor area in all other areas of the City. | 20% | 50% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|--|------------------------|------|------|
| | | AM | PM | Eve |
| Office | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) the following applies: (i) a minimum rate of 0.4 for each 100 square metres of gross floor area; (ii) a maximum rate of 0.8 for each 100 square metres of gross floor area; and (B) in Policy Area 2 (PA2) : (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) a maximum rate 1.4 for each 100 square metres of gross floor area; and (C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies: (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) a maximum rate of 2.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City, at a minimum rate of 1.5 for each 100 square metres of gross floor area.</p> | 100% | 60% | 0% |
| Personal Service Shops | <p>Parking spaces must be provided if the gross floor area used for a personal service shop is greater than 200 square metres:</p> <p>(A) in Policy Area 1 (PA1) at a: (i) minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) maximum rate of 3.5 for each 100 square metres of gross floor area; (B) in Policy Area 2(PA2), Policy Area 3 (PA3) and Policy Area 4(PA4) at a: (i) minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) maximum rate of 4.0 for each 100 square metres of gross floor area; and (C) in all other areas of the City at a minimum rate of 1.5 for each 100 square metres of gross floor area; and (D) if the gross floor area is 200 square metres or less, no parking space is required.</p> | 20% | 100% | 100% |
| Place of Assembly (premises used for social, cultural, educational or trade events, such as a banquet hall or a convention or trade centre) | <p>Parking spaces must be provided at the minimum rate of:</p> <p>(A) 3.0 for each 100 square metres for gross floor area in Policy Area 1 (PA1) ; (B) 4.5 for each 100 square metres for gross floor area in Policy Area 2 (PA2); (C) 5.5 for each 100 square metres for gross floor area in Policy Area 3 (PA3) and Policy Area 4 (PA4); and (D) 7.0 for each 100 square metres for gross floor area in all other areas of the City.</p> | 25% | 50% | 100% |
| Place of Entertainment (premises used to provide entertainment, such as a theatre, cinema, opera, concert hall or ballet) | <p>Parking spaces for visitor use must be provided at the a minimum rate of:</p> <p>(A) 5.0 for each 100 square metres of gross floor area in Policy Area 1 (PA1) ; (B) 8.0 for each 100 square metres of gross floor area in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4); and (C) 10.0 for each 100 square metres of gross floor area in all other areas.</p> | 25% | 50% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m.

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|---|--|------------------------|------|------|
| | | AM | PM | Eve |
| Place of Worship | <p>Parking spaces must be provided at the greater of :</p> <p>(A) if there is permanent or fixed seating in a Place of Worship then: (i) if located in Policy Area 1 (PA1): (a) a minimum rate of 9.0 for each 100 square metres of worship area; and (b) a maximum rate of 18.0 for each 100 square metres of worship area; and (ii) if located in Policy Area 2 (PA2): (a) a minimum rate of 15.0 for each 100 square metres of worship area; and (b) a maximum rate of 23.0 for each 100 square metres of worship area; and (iii) if located in Policy Area 3 (PA3) or Policy Area 4 (PA4): (a) a minimum rate of 18.0 for each 100 square metres of worship area; and (b) a maximum rate of 29.0 for each 100 square metres of worship area; and (iv) at a minimum rate of 23.0 for each 100 square metres of worship area if located in in any other area of the City;</p> <p>(B) if there is no seating or variable seating in a Place of Worship then: (i) if located in Policy Area 1 (PA1): (a) a minimum rate of 13.0 for each 100 square metres of worship area; and (b) a maximum rate of 26.0 for each 100 square metres of worship area; and (ii) if located in Policy Area 2 (PA2): (a) a minimum rate of 22.0 for each 100 square metres of worship area; and (b) a maximum rate of 34.0 for each 100 square metres of worship area; and (iii) if located in Policy Area 3 and Policy Area 4 (PA4): (a) a minimum rate of 26.0 for each 100 square metres of worship area; and (b) a maximum rate of 43.0 for each 100 square metres of worship area; and (iv) at a minimum rate of 34.0 for each 100 square metres of worship area if located in in any other area of the City; or</p> <p>(C) the minimum parking rate for any ancillary uses in the place of worship building or on the lot.</p> | 100% | 100% | 100% |
| Police Station | Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Post Secondary School (College and University) | <p>Parking spaces must be provided at a minimum rate of:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3), 0.5 for each 100 square metres of gross floor area; (B) in Policy Area 4 (PA4), 1.5 for each 100 square metres of gross floor area; and (C) in all other areas of the City, 2.0 for each 100 square metres of gross floor area.</p> | 50% | 100% | 50% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|---|------------------------|------|------|
| | | AM | PM | Eve |
| Public Health Clinic, Addiction Clinic | <p>Parking spaces must be provided :</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3):</p> <p>(i) at a minimum rate of 0.4 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 0.8 for each 100 square metres of gross floor area; and</p> <p>(B) in Policy Area 4 (PA4):</p> <p>(i) at a minimum rate of 0.6 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 1.0 for each 100 square metres of gross floor area; and</p> <p>(C) in all other areas of the City, at a minimum rate of 1.0 for each 100 square metres of gross floor area.</p> | 100% | 100% | 100% |
| Public Schools and Private Schools | Parking spaces must be provided at a minimum rate of 1.5 per classroom or office. | 100% | 100% | 20% |
| Railway Service and Repair Yard; Railway Station | Parking spaces must be provided at a minimum rate of 0.1 per 100 square metres of gross floor area. | 100% | 100% | 50% |
| Recreation Use | <p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), and Policy Area 3 (PA3):</p> <p>(i) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 1.3 for each 100 square metres of gross floor area; and</p> <p>(B) in Policy Area 4 (PA4),</p> <p>(i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 2.0 for each 100 square metres of gross floor area; and</p> <p>(C) in all other areas of the City, at a minimum rate of 3.5 for each 100 square metres of gross floor area.</p> | 25% | 100% | 100% |
| Retail Store | <p>Parking spaces must be provided:</p> <p>(A) if the gross floor area is more than 200 square metres:</p> <p>(i) in Policy Area 1 (PA1) at a:</p> <p>(a) minimum of 1.0 for each 100 square metres of gross floor area;</p> <p>(b) maximum of 3.5 for each 100 square metres of gross floor area;</p> <p>(ii) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4(PA4) at:</p> <p>(a) minimum of 1.0 for each 100 square metres of gross floor area;</p> <p>(b) maximum of 4.0 for each 100 square metres of gross floor area;</p> <p>(iii) in all other areas of the City:</p> <p>(a) if the gross floor area used for a retail store in a building is more than 200 square metres and less than 10,000 square metres, at a minimum rate of 1.5 for each 100 square metres of gross floor area;</p> <p>(b) if the gross floor area used for a retail store in a building is 10,000 square metres or more but less than 20,000 square metres, at a minimum rate of 3.0 for each 100 square metres of gross floor area; and</p> <p>(c) if the gross floor area used for a retail store in a building is 20,000 square metres or more, at a minimum rate of 6.0 for each 100 square metres of gross floor area; and</p> <p>(B) if the gross floor area is 200 square metres or less, no parking space is required.</p> | 20% | 100% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|--|---|------------------------|------|------|
| | | AM | PM | Eve |
| Secondary School | 1.5 per classroom or office for a Secondary. | 100% | 100% | 20% |
| Secondary Suite | 1.0 per secondary suite. | 100% | 100% | 100% |
| Senior's Housing | Parking spaces must be provided at a minimum rate of 0.3 for each dwelling unit and bed-sitting room. | 100% | 100% | 100% |
| Service Shop | Parking spaces must be provided: (A) if the gross floor area is more than 200 square metres: (i) in Policy Area 1 (PA1) at a: (a) minimum rate of 1.0 for each 100 square metres of gross floor area; and (b) maximum rate of 3.5 for each 100 square metres of gross floor area; and (ii) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4(PA4) at: (a) minimum rate of 1.0 for each 100 square metres of gross floor area; and (b) maximum rate of 4.0 for each 100 square metres of gross floor area; and (iii) in all other areas of the City a minimum rate of 1.5 for each 100 square metres of gross floor area; and (B) if the gross floor area is 200 square metres or less, no parking space is required. | 100% | 100% | 100% |
| Vehicle Dealership, Vehicle Rental/Leasing | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4): (i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 1.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 3.5 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Vehicle Fuel Station; | Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3(PA3) at a minimum rate of 2.5 for each 100 square metres of gross floor area; (B) in Policy Area 4 (PA4) at a minimum rate of 3.0 for each 100 square metres of gross floor area; and (C) in all other areas of the City at a minimum rate of 3.5 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Vehicle Service Shop; | Parking spaces must be provided at a minimum rate of 3.5 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Vehicle Repair Shop | Parking spaces must be provided at a minimum rate of 3.5 for each 100 square metres of gross floor area. | 100% | 100% | 100% |
| Animal Hospital / Veterinary Hospital | Parking spaces must be provided: (A) in Policy Area 1 (PA1) at a minimum rate of 1.0 for each 250 square metres of gross floor area ant at a maximum rate of 1.0 for each 125 square metres of gross floor area; and (B) in the rest of the City at a minimum rate of 1 for each 100 square metres of gross floor area. | 100% | 100% | 100% |

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m

| Land Use | Parking Rate | Parking Occupancy Rate | | |
|-----------|---|------------------------|------|-----|
| | | AM | PM | Eve |
| Warehouse | Parking spaces must be provided: (A) for a self storage warehouse at a minimum rate of 0.6 for each 100 square metres of gross floor area; and (B) for an Industrial Warehouse at a minimum rate of: (i) 2.0 for each 100 square metres of gross floor area up to 2750 square metres; plus (ii) 0.5 for each 100 square metres of gross floor area in excess of 2750 square metres. | 100% | 100% | 50% |

(2) Provision of Parking Spaces

Parking spaces provided for each use must not be:

- (A) less than the minimum required; and
- (B) greater than the maximum permitted.

(3) Parking Space Rate Ancillary Uses

An **ancillary** use has the same parking rate as the use to which it is **ancillary**.

(4) Parking Space Permission for Uses with No Parking Requirement

If a use is not required to provide **parking spaces** by this by-law, **parking spaces** may be provided for that use if:

- (A) the use is listed on Table 200.5.10.10, Parking Rates;
- (B) the **parking spaces** are used by the owner, occupant or visitors to the **premises**; and
- (C) the number of **parking spaces** is not:
 - (i) less than the minimum required for all uses on the **lot** by Table 200.5.10.10, Parking Rates; and
 - (ii) greater than the maximum permitted or all uses on the **lot** by Table 200.5.10.10, Parking Rates.

(5) Parking Space Rates - Multiple Uses on a Lot

If there are multiple uses on a **lot**, the parking rate applies to each use on the **lot**.

(6) Shared Parking Space Calculation (Maximum)

In Policy area 1 (PA1), the maximum number of **parking spaces** permitted for a **lot** is determined as follows:

- (A) for each of the morning, afternoon and evening parking periods, the maximum number of **parking spaces** for each use, is calculated using the applicable parking rate and occupancy rate;
- (B) the maximum number of **parking spaces** permitted for each parking period is the total of the **parking spaces** permitted for all uses during that parking period; and
- (C) the maximum number of **parking spaces** permitted for the **lot** is equal to the largest

number of **parking spaces** permitted for any parking period.

(7) Interpretation of minimum and maximum parking space requirement.

If the Parking Table includes the minimum and maximum number of **parking spaces** for a use, the number of **ancillary parking spaces** for a use listed on the Parking Table must:

- (A) not be less than the minimum required; and
- (B) not exceed the maximum permitted.

200.10 Regulations applying to Visitor Parking Spaces

200.10.1 General

(1) Access to Visitor Parking Spaces

All **driveways** or **drive aisles** providing access to visitor parking are to be clearly identified.

(2) Visitor Parking Space - Marking

All visitor **parking spaces** are to be clearly identified and marked for the exclusive use of visitors.

200.10.1.5 Interpretation

(1) Application of Section

The regulations contained in Section 200.10 apply to all visitor **parking spaces**.

(2) Visitor Parking Space Dimensions

The dimension of a **parking space** for visitor parking must comply with the **parking space** dimensions in Section 200.5.

200.15 Regulations applying to Accessible Parking Spaces

200.15.1 General

(1) Accessible Parking Space Size

An accessible **parking space** must have the following minimum dimensions:

- (A) length of 5.6 metres;
- (B) width of 3.9 metres; and
- (C) vertical clearance of 2.1 metres.

200.15.1.5 Interpretation

(1) Application of Section

The regulations contained in Section 200.15 apply to all Accessible **parking spaces**.

(2) Location of Accessible Parking Spaces

Accessible **parking spaces** must be the **parking spaces** located:

- (A) closest to a principal pedestrian access to a **building**; and
- (B) at the same level as the pedestrian entrance to the **building**.

200.15.10 Parking Rate

(1) Parking Rates - Accessible Parking Spaces

Unless otherwise stated in this By-law, off-street Accessible **Parking Spaces** are to be provided for every **building** or **structure** erected, altered or enlarged, in conformity with the following:

(A) If a use requires 5 or more **parking spaces** the following requirement for accessible **parking spaces** applies:

- (i) if the number of required **parking spaces** is 5 to 24, a minimum of 1 **parking space** must comply with the minimum dimensions for an accessible **parking space**;
- (ii) if the number of required **parking spaces** is 25 to 100, a minimum of 1 **parking space** for each 25 **parking spaces** or part thereof must comply with the minimum dimensions for an accessible **parking space** and must be clearly marked as an accessible **parking space**; and
- (iii) if more than 100 **parking spaces** are required then for the first 100 **parking spaces** (ii) above is to apply and for each 50 **parking spaces** of part thereof in excess of 100 **parking spaces**, 1 additional **parking space** must comply with the minimum dimensions for an accessible **parking space**.

(2) Accessible Parking Space Requirement Medical Office and Clinics

If parking is required for a medical office or clinic, a minimum of 10% of the required **parking spaces** are to comply with the minimum dimensions for an accessible **parking space**.

200.20 Regulations applying to Parking Spaces for Heritage Buildings

200.20.10 General

(1) Parking Space Requirements for Heritage Sites Designated Under the Ontario Heritage Act

The number of **parking spaces** required for a **Heritage Site** that is designated under the Ontario Heritage Act, as amended, is to be the lesser of the requirements of Section 200, and the number of spaces existing on July 20, 1993.

(2) Parking Space Requirements for Additions or Alterations to Heritage Sites Designated Under the Ontario Heritage Act

If floor area is added through an addition, alteration or extension, or if existing floor area is replaced, **parking spaces** must be provided in accordance with this By-law for that floor area.

(3) CRE Zone - Heritage Site - Supplementary Parking Space Requirements for Heritage Sites

In a CRE zone, regulations 200.20.10(1) and (2) also apply to a listed **Heritage Site** that is not designated under the Ontario Heritage Act, as amended.

Chapter 220 Loading Space Regulations

220.5 Regulations applying to Loading Spaces

220.5.1 General

(1) Application of Section

The regulations contained in Section 220.5 apply to all **loading spaces**.

(2) Required Loading Space

If this by-law requires one or more off-**street loading spaces** to be provided on a **lot**, that **loading space** is to be available for the loading of a **vehicle** associated with the use for which it is required.

(3) Location of Loading Spaces

Unless otherwise stated in this By-law, a **loading space** may not be located:

(A) in any **front yard** or **side yard** that abuts a **street**; or

(B) in any yard that abuts a **lot** in a residential zone category and apartment zone category.

(4) Loading Space Demarcation

Loading spaces located within a **building** must be clearly marked and identified.

(5) Minimum Loading Space Dimensions

If a **loading space** is required by this By-law for lands located in Policy Area 1 (PA1), despite the dimension requirements of Regulation 220.5.1 (2), the **loading space** must have a minimum vertical clearance of 4.3 metres.

(6) Loading Space Standards

Unless otherwise stated in this by-law, a **loading space** must comply with the following:

(A) a Type 'A' **loading space** must have a:

- (i) minimum length of 17.0 metres;
- (ii) minimum width of 3.5 metres; and
- (iii) minimum vertical clearance of 4.3 metres.

(B) a Type 'B' **loading space** must have a:

- (i) minimum length of 11.0 metres;
- (ii) minimum width of 3.5 metres; and
- (iii) minimum vertical clearance of 4.0 metres.

(C) a Type 'C' **loading space** must have a:

- (i) minimum length of 6.0 metres;

- (ii) minimum width of 3.5 metres; and
- (iii) minimum vertical clearance of 3.0 metres.

(D) a Type 'G' **loading space** must have a:

- (i) minimum length of 13.0 metres;
- (ii) minimum width of 4.0 metres; and
- (iii) minimum vertical clearance of 6.1 metres.

220.5.5 Interpretation

(1) Loading Space Requirement Calculation

Any **ancillary** use is deemed to be part of the principal use for the calculation of **loading space** requirements.

(2) Loading Space Calculation for Multi-unit Buildings

If a **lot** in an Employment Industrial Zone category has a **building** containing more than one industrial unit, then the calculation of the **loading space** requirement is based upon the applicable **interior floor area** of each industrial unit and not on the total **gross floor area** of the whole **building**.

(3) Industrial Unit - Definition

For the purpose of calculating **loading space** requirements, an "industrial unit", means the portion of a **building** used by or under the control of an individual industrial operator.

(10) Loading Space Calculation -Gross Floor Area Exclusion

The **interior floor area** of a **building** that is used exclusively for heating, cooling, ventilation, electrical, **parking space**, **loading space**, or a **drive aisle** used to access a **parking space** or **loading space**, is not included as **gross floor area** for the purpose of calculating **loading space** requirements.

220.5.10 Loading Space Rates

220.5.10.1 General

(1) Loading Space Requirements

Loading spaces are to be provided as follows:

(2) Loading Space Requirements - Building Containing Dwelling Units

Unless otherwise stated in this by-law, a **building** containing **dwelling units** is to provide **loading spaces** as follows:

| | |
|-----------------|--|
| Number of Units | Minimum Number of Loading Spaces Required |
|-----------------|--|

| | |
|-------------------------------|---------------|
| 0 to 30 dwelling units | None required |
|-------------------------------|---------------|

| | |
|---------------------------------|------------|
| 31 to 399 dwelling units | 1 - Type G |
|---------------------------------|------------|

| | |
|-----------------------------------|---------------------------|
| 400 dwelling units or more | 1 - Type G and 1 - Type C |
|-----------------------------------|---------------------------|

(3) Loading Space Requirements - Retail Store, Eating Establishment, or Personal Service Shop

A **retail store**, **eating establishment**, or **personal service shop** is to provide **loading spaces** as follows:

Gross Floor Area Minimum Number of Loading Spaces Required

0 to 499 m2 None required

500 to 1,999 m2 1 Type B

2,000 to 4,999 m2 2 Type B

5,000 to 9,999 m2 3 Type B

10,000 to 19,999 m2 1 Type A and 3 Type B

20,000 to 29,999 m2 1 Type A, 3 Type B and 1 Type C

30,000 m2 or greater 1 Type A, 3 Type B and 1 Type C

(4) Loading Space Requirements - Grocery stores/supermarket

A grocery stores/supermarket is to provide **loading spaces** as follows:

Gross Floor Area Minimum Number of Loading Spaces Required

0 to 499 m2 None required

500 to 999 m2 1 Type B

1,000 to 1,999 m2 1 Type A

2,000 to 4,999 m2 1 Type A and 1 Type B

5,000 to 9,999 m2 1 Type A and 2 Type B

10,000 to 19,999 m2 2 Type A and 2 Type B

20,000m2 and greater 2 Type A and 3 Type B

(5) Loading Space Requirements - Office

An office is to provide **loading spaces** as follows:

Gross Floor Area Minimum Number of Loading Spaces Required

0 to 499 m2 None required

500 to 999 m2 1 Type B

1,000 to 1,999 m2 1 Type B and 1 Type C

2,000 to 3,999 m2 1 Type B and 2 Type C

4,000 to 27,999 m2 2 Type B and 2 Type C

28,000 to 51,999 m2 2 Type B and 3 Type C

52,000 m2 or greater A minimum of 2 Type B and 3 Type C

(6) Loading Space Requirements - Hotel

A **hotel** is to provide **loading spaces** as follows:

Gross Floor Area Minimum Number of Loading Spaces Required

0 to 4,999 m2 1 Type B

5,000 to 9,999 m2. 1 Type B and 1 Type C

10,000 to 19,999 m2 2 Type B and 1 Type C
20,000 to 49,999 m2 2 Type B and 2 Type C
50,000 m2 or greater A minimum of 1 Type A, 1 Type B and 2 Type C

(7) Loading Space Requirements - Manufacturing or Warehouse Use

A manufacturing or warehouse use is to provide **loading spaces** as follows:

Gross Floor Area Minimum Number of **Loading Spaces** Required

0 to 99 m2 None
100 to 499 m2 1 Type C
500 to 999 m2 1 Type B
1,000 to 4,999 m2 1 Type A
5,000 to 9,999 m2 2 Type A
10,000 to 14,999 m2 3 Type A
15,000 m2 or greater a minimum of 3 Type A

(8) Loading Space Requirements

Every non-residential use not included in Regulations 220.5.10.1 (2) to (6) that is required to provide **loading spaces** according to the **gross floor area** of the **building** or **structure** as follows:

(A) **Gross Floor Area:** 499 square metres or less

Minimum Number of **Loading Spaces:** None;

(B) **Gross Floor Area:** From and including 500 square metres to and including 2300 square metres

Minimum Number of **Loading Spaces:** 1 **loading space**;

(C) **Gross Floor Area:** From and including 2301 square metres to and including 7500 square metres

Minimum Number of **Loading Spaces:** 2 **loading spaces**;

(D) **Gross Floor Area:** From and including 7501 square metres to and including 14000 square metres

Minimum Number of **Loading Spaces:** 3 **loading spaces**;

(E) **Gross Floor Area:** From and including 14001 square metres to and including 22000 square metres

Minimum Number of **Loading Spaces:** 4 **loading spaces**;

(F) **Gross Floor Area:** From and including 22001 square metres to and including 30000 square metres

Minimum Number of **Loading Spaces**: 5 **loading spaces**;

(G) **Gross Floor Area**: Over 30000 square metres.

Minimum of 1 additional **loading space** for each additional 9300 square metres over 30000 square metres.

220.5.10.200 Exemptions

(1) Loading Space Exemption

In Policy Area 1 (PA1), a change of use within a **building** that is lawfully erected pursuant to a **building** permit issued on or before the date of the enactment of this By-law, is not to require an alteration to existing loading facilities or additional **loading spaces** if:

(A) the **loading spaces** legally existing on the **lot** are maintained; and

(B) the ground floor covers a minimum of 75% of the **lot area**.

(2) Loading Space Exemption Policy Area 1(PA1) Non-Residential

In Policy Area 1 (PA1) if a non-residential use is proposed for any portion of a **building** erected on or before the enactment of this By-law in a CR zone, the non-residential loading requirements of this subsection is not to require more **loading spaces** than existing on the **lot**, if:

(A) the loading facilities legally existing on the **lot** are maintained; and

(B) the ground floor covers a minimum of 75% of the **lot area**.

(3) Loading Space Exemption Other than Policy Area 1(PA1) Non-Residential

For lands not located in Policy Area 1 (PA1), if a non-residential use is proposed for any portion of a **building** erected on or before the enactment of this By-law, the non-residential **loading space** requirements of this Section is not to require more **loading spaces** than existing on the **lot**, if:

(A) the loading facilities legally existing on the **lot** are maintained; and

(B) the ground floor covers a minimum of 75% of the **lot area**.

220.5.20 Access to Loading Space

(1) Standards for Access to a Loading Space

Driveway access to a **loading space** must have:

(A) a minimum width along its entire length of:

- (i) 3.5 metres for a one-way **driveway**; or
- (ii) 6.0 metres for a two-way **driveway**; and

(B) a minimum vertical clearance along its entire length of:

- (i) 4.3 metres if leading to a type 'A' or type 'G' **loading space**;

- (ii) 4.0 metres if leading to a type 'B loading space'; and
- (iii) 3.0 metres if leading to a type 'C' **loading space**.

(2) Loading Space Access

The maximum slope of a **driveway** leading to a **loading space** is 10%.

(3) Off-street Loading Space Access Space

Each **loading space** must have an area of the same minimum length and width as the required **loading space** located in front of the **loading space** which it serves.

(4) Vehicle Access to Building with Loading Space

If a **building** contains a **loading space**:

(A) the **vehicle** entrance and exit for a two-way **driveway** into and out of the **building** must have a minimum width of 5.5 metres; and

(B) the **vehicle** entrance or exit for a one-way **driveway** into or out of the **building** must have a minimum width of 3.5 metres, if the **vehicle** entrance or exit is 6.0 metres or more away from the **street lot line**.

220.20 Regulations applying to Loading Spaces in Heritage Buildings

220.20.1 General

(1) Loading Requirements for Heritage Sites Designated Under the Ontario Heritage Act

The number of **loading spaces** required for a **Heritage Site** that is designated under the Ontario Heritage Act, as amended, is the lesser of the requirements of Chapter 220 **Loading Space** regulations, or the number of spaces existing as of {{July 20, 1993}}.

(2) Loading Requirements for Additions or Alterations to Heritage Sites Designated Under the Ontario Heritage Act

If floor area is added through an addition, alteration or extension, or if existing floor area is replaced, **loading spaces** must be provided in accordance with this By-law for that floor area.

(3) CRE Zone - Heritage Site - Supplementary Loading Requirements for Heritage Sites

In a CRE zone, [RD#3 provisions 710 and 711] also apply to a listed **Heritage Site** that is not designated under the Ontario Heritage Act, as amended.

(4) CRE Zone - Heritage Site - Supplementary Loading Requirement

In an CRE zone, a **building** containing 30 or more **dwelling units** that is identified as a listed **Heritage Site** but not designated under the Ontario Heritage Act, as amended, is to continue to be subject to the requirements of this By-law with respect to **loading spaces**.

Chapter 230 Bicycle Parking Regulations

230.5 General Regulations applying to All Bicycle Parking Spaces

230.5.1 General

230.5.1.10 Interpretation

(1) Application of Section

The regulations contained in Section 230.5 apply to all **bicycle parking spaces**.

(2) Rounding of Bicycle Parking Space Requirements

If the calculation of the minimum **Bicycle Parking Spaces** results in a fraction of a space being required, the number of spaces must be rounded up to the next whole number.

(3) Meaning of Long-Term Bicycle Parking and Short-Term Bicycle Parking

For the purposes of this By-law, Long-Term Bicycle Parking and Short-Term Bicycle Parking must have the following meanings:

(A) Long-Term Bicycle Parking are **bicycle parking spaces** for use by the occupants or tenants of a **building**; and

(B) Short-Term Bicycle Parking are **bicycle parking spaces** for use by visitors to a **building**.

(5) Bicycle Parking Space Dimensions

A **bicycle parking space** must have the following dimensions:

(A) minimum length of 1.9 metres,

(B) minimum width of 0.6 metres,

(C) minimum vertical clearance of :

(i) 1.2 metres if the bicycle is to be parked on a horizontal surface; or

(ii) 1.9 metres if the bicycle is to be parked in a vertical position.

(6) Long-Term Bicycle Parking Space Locational Requirement

Long-Term **bicycle parking spaces** are to be located in a secure, weather protected and enclosed bicycle parking area.

(7) Short-Term Bicycle Parking Space Locational Requirement

If the requirement for Short-Term **bicycle parking spaces** is more than 10, at least 50% of the required Short-Term **bicycle parking spaces** are to be located in a weather protected bicycle parking area at grade.

(8) Change and Shower Facilities

If a **building** contains uses, other than **dwelling units**, for which a **bicycle parking space** is required, shower and change facilities are to be provided for each gender at the following rate:

(A) none if less than 5 required **bicycle parking spaces**;

(B) 1 for 5 to 60 required **bicycle parking spaces**;

- (C) 2 for 61 to 120 required **bicycle parking spaces**;
 - (D) 3 for 121 to 180 required **bicycle parking spaces**; and
 - (E) 4 for more than 180 required **bicycle parking spaces**.
- (9) Bicycle Parking Space Located with Use
- A **bicycle parking space** must be located on the same **lot** as the use for which it is required.
- (10) Long Term Bicycle Parking Space Location
- If a **lot** is located in a Commercial Zone category, Commercial Residential Zone category, Institutional Zone category or Employment Zone category then a long-term **bicycle parking space** must be located:
- (A) outside on grade;
 - (B) on the ground floor of the **building**; or
 - (C) on the first below grade floor of the **building**.
- (11) Bicycle Parking Space Location
- If a **lot** containing an **apartment building** is located in a Residential Zone category then a long-term **bicycle parking space** must be located:
- (A) on the ground floor of the **building**; or
 - (B) on the first below grade floor of the **building**.
- (12) Bicycle Parking Space Distance from Building Entrance
- If a **lot** is located in a Commercial Zone category, Commercial Residential Zone category, Institutional Zone category or Employment Zone category then a **bicycle parking space** must be located a maximum of 30 metres from a pedestrian entrance to the principal **building** on the **lot**.

230.5.10 Bicycle Parking Rates All Zones

230.5.10.1 General

- (1) Use less than 200 Square Metres
- If a **bicycle parking space** is required for a use on a **lot**, other than a **dwelling unit**, and the total **interior floor area** of all such uses on the **lot** is 200 square metres or less, then no **bicycle parking space** is required.
- (2) Exemption From Providing Bicycle Parking Space
- Despite requirements in this by-law to the contrary, a **bicycle parking space** is not required for use on a **lot** that are otherwise required to provided **bicycle parking spaces** if the **lot**:
- (A) is located in Policy Area 1 (PA-1), Policy Area 2 (PA-2), Policy Area 3 (PA-3) or Policy Area 4 (PA-4);and
 - (B) has a frontage of less than 30 metres; and
 - (C) is not a **corner lot**; and
 - (D) has a required maximum **building setback** from the **front lot line** of 3.0 metres or less.
- (3) Multiple uses on a lot
- If Chapter 230 Bicycle Parking Regulations, of this by-law has bicycle parking rates for one or more uses on a **lot**, other than a **dwelling unit**, and if the cumulative total

interior floor area of all those uses on a **lot** is more than 200 square metres, then the exemption from providing a **bicycle parking space** in regulation 230.5.1.10. (1) does not apply to any of the uses on a **lot** and **bicycle parking spaces** are to be provided at the applicable rate for each uses specified in Chapter 230 Bicycle Parking Regulations.

(4) EATING ESTABLISHMENT - Bicycle Parking Spaces

If a **lot** contains an **eating establishment** and regulations 230.5.10.1 (1) and (2) do not apply, then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.3 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for an **eating establishment**, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.25 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for an **eating establishment**, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 0.2 for each 100 square metres of **interior floor area** used for an **eating establishment**, if the **lot** is in Policy Area 1; and
- (ii) 0.13 for each 100 square metres of **interior floor area** used for an **eating establishment**, if the **lot** is not in Policy Area 1.

(5) RETAIL STORE - Bicycle Parking Spaces

If a **lot** contains a **retail store** and regulations 230.5.10.1 (1) and (2) do not apply, then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.3 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **retail store**, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.25 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **retail store**, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 0.2 for each 100 square metres of **interior floor area** used for a **retail store**, if the **lot** is in Policy Area 1; and
- (ii) 0.13 for each 100 square metres of **interior floor area** used for a **retail store**, if the **lot** is not in Policy Area 1.

(6) PERSONAL SERVICE SHOP - Bicycle Parking Spaces

If a **lot** contains a **personal service shop** and regulations 230.5.10.1 (1) and (2) do not apply, then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.3 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **personal service shop**, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.25 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **personal service shop**, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 0.2 for each 100 square metres of **interior floor area** used for a **personal service shop**, if the **lot** is in Policy Area 1; and
- (ii) 0.13 for each 100 square metres of **interior floor area** used for a **personal service shop**, if the **lot** is not in Policy Area 1.

(7) EDUCATION USE - Bicycle Parking Spaces

If a **lot** contains an **Education Use** and regulations 230.5.10.1 (1) and (2) do not apply, then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.1 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **post-secondary school**, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.06 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **post-secondary school**, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 0.1 for each 100 square metres of **interior floor area** used for a **post-secondary school**, if the **lot** is in Policy Area 1; and
- (ii) 0.06 for each 100 square metres of **interior floor area** used for a **post-secondary school**, if the **lot** is not in Policy Area 1.

(8) OFFICE - Bicycle Parking Spaces

If a **lot** contains an office and regulations 230.5.10.1 (1) and (2) do not apply, then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.2 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for an office, other than a medical office, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.15 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for an office, other than a medical office, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 0.2 for each 100 square metres of **interior floor area** used for an office, other than a medical office, if the **lot** is in Policy Area 1; and
- (ii) 0.13 for each 100 square metres of **interior floor area** used for an office, other than a medical office, if the **lot** is not in Policy Area 1.

(9) MEDICAL OFFICE - Bicycle Parking Spaces

If a **lot** contains a medical office and regulations 230.5.10.1 (1) and (2) do not apply, then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.15 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a medical office, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.1 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a medical office, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 0.15 for each 100 square metres of **interior floor area** used for a medical office, if the **lot** is in Policy Area 1; and
- (ii) 0.1 for each 100 square metres of **interior floor area** used for a medical office, if the **lot** is not in Policy Area 1.

(10) Municipal Shelter and Crisis Care Facility

Bicycle parking spaces for a Municipal Shelter or Crisis Care Facility are to be provided at a rate of 2 for each facility.

230.10 Residential Zone Category Regulations

230.10.1 General

230.10.1.10 Rates

- (1) Bicycle Parking Rate Residential Zone Category and Policy Area 1(PA1)

If an **apartment building** is located on a **lot** in a Residential Zone Category and the **lot** is located in Policy Area 1 (PA1), **bicycle parking spaces** are to be provided at a rate of:

- (A) 0.9 long term **bicycle parking spaces bicycle parking spaces** for each **dwelling unit**; and
(B) 0.1 short term **bicycle parking spaces** for each **dwelling unit**.

- (2) Bicycle Parking Rate Residential Zone Category

If an **apartment building** is located on a **lot** in a Residential Zone Category and the **lot** is not located in Policy Area 1 (PA1), **bicycle parking spaces** are to be provided at a minimum rate of:

- (A) 0.7 long term **bicycle parking spaces bicycle parking spaces** for each **dwelling unit**; and
(B) 0.08 short term **bicycle parking spaces** for each **dwelling unit**.

230.10.1.20 Standards

- (1) Bicycle Parking Space - Storage Location

Despite 230.10.1.20 (1), a long-term **bicycle parking space** for a **dwelling unit** in an **apartment building** may not be located:

- (A) in a **dwelling unit**; or
(B) on a balcony; or
(C) in a storage locker.

- (2) Bicycle Parking Space Position

A minimum of 50% of the Long-Term **bicycle parking spaces** in an **apartment building** are not to be in a vertical position.

- (3) Location Relative to Building Entrance

If a **lot** containing an **apartment building** is located in a Residential Zone category then a short-term **bicycle parking space** must be located a maximum of 30 metres from a pedestrian entrance to the principal **building** on the **lot**.

230.20 Residential Apartment Zone Category Regulations

230.20.1 General

230.20.1.10 Rates

- (1) Bicycle Parking Space Residential Apartment Zone Category and Policy Area 1 (PA1)

If an **apartment building** is on a **lot** in a Residential Apartment Zone Category and the **lot** is located in Policy Area 1 (PA1), **bicycle parking spaces** are to be provided at a rate of:

- (A) 0.9 long term **bicycle parking spaces bicycle parking spaces** for each **dwelling unit**; and
(B) 0.1 short term **bicycle parking spaces** for each **dwelling unit**.

- (2) Bicycle Parking Space Residential Apartment Zone Category

If an **apartment building** is on a **lot** in a Residential Apartment Zone Category and the **lot** is not located in Policy Area 1 (PA1), **bicycle parking spaces** are to be

provided at a rate of:

- (A) 0.7 long term **bicycle parking spaces** **bicycle parking spaces** for each **dwelling unit**; and
- (B) 0.08 short term **bicycle parking spaces** for each **dwelling unit**.

230.20.1.20 Standards

- (1) Bicycle Parking Space - Storage Location

Despite 230.20.1.20 (1) a long-term **bicycle parking space** for a **dwelling unit** in an **Apartment Building** may not be located:

- (A) in a **dwelling unit**; or
- (B) on a balcony; or
- (C) in a storage locker.

- (2) Bicycle Parking Space Residential Apartment Position

A minimum of 50% of the Long-Term **bicycle parking spaces** in an **apartment building** are not to be located in a vertical position.

- (3) Location Relative to Building Entrance

If a **lot** containing an **apartment building** is located in a Residential Apartment Zone category then a short-term **bicycle parking space** must be located a maximum of 30 metres from a pedestrian entrance to the principal **building** on the **lot**.

230.40 Commercial - Residential Zone Category Regulations

230.40.1 General

230.40.1.10 Rates

- (1) Bicycle Parking Space Rate - CR Zone and Policy Area 1

If a **building** in a CR zone contains **dwelling units** and is located in Policy Area 1 (PA1), **bicycle parking spaces** are to be provided at a rate of:

- (A) 0.9 long term **bicycle parking spaces** **bicycle parking spaces** for each **dwelling unit**; and
- (B) 0.1 short term **bicycle parking spaces** for each **dwelling unit**.

- (2) Bicycle Parking Space Rate - CR Zone

If a **building** in a CR zone contains **dwelling units** and is not located in Policy Area 1 (PA1), **bicycle parking spaces** are to be provided at a rate of:

- (A) 0.7 long term **bicycle parking spaces** **bicycle parking spaces** for each **dwelling unit**; and
- (B) 0.08 short term **bicycle parking spaces** for each **dwelling unit**.

230.40.1.20 Standards

- (1) Bicycle Parking - Location CR zones

Bicycle parking space for a **dwelling unit** may not be located:

- (A) in a **dwelling unit**; or
- (B) on a balcony; or
- (C) in a storage locker; or

- (D) an area used for **ancillary** commercial space.
- (2) Bicycle Parking Space Location
- A minimum of 50% of the Long-Term **bicycle parking spaces** units in an **apartment building** are not to be wall mounted.

230.80 Institutional Zones

230.80.1 General

230.80.1.10 Rates

(1) PUBLIC SCHOOL, PRIVATE SCHOOL - Bicycle Parking Spaces

If a **lot** contains a **public school** or **private school** and regulations 230.5.10.1 (1) and (2) do not apply, then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.1 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **public school** or **private school**, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.06 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **public school** or **private school**, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 0.1 for each 100 square metres of **interior floor area** used for a **public school** or **private school**, if the **lot** is in Policy Area 1; and
- (ii) 0.06 for each 100 square metres of **interior floor area** used for a **public school** or **private school**, if the **lot** is not in Policy Area 1.

(2) POST-SECONDARY SCHOOLS - Bicycle Parking Spaces

If a **lot** contains a **post-secondary school** and regulations 230.5.10.1 (1) and (2) do not apply, then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.3 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **post-secondary school**, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.18 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **post-secondary school**, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 1 for each 100 square metres of **interior floor area** used for a **post-secondary school**, if the **lot** is in Policy Area 1; and
- (ii) 0.6 for each 100 square metres of **interior floor area** used for a **post-secondary school**, if the **lot** is not in Policy Area 1.

(3) HOSPITAL - Bicycle Parking Spaces

If a **lot** contains a **hospital** then:

(A) the minimum number of short-term **bicycle parking spaces** to be provided is:

- (i) 3, plus 0.1 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **hospital**, if the **lot** is in Policy Area 1; and
- (ii) 3, plus 0.06 **bicycle parking spaces** for each 100 square metres of **interior floor area** used for a **hospital**, if the **lot** is not in Policy Area 1; and

(B) the minimum number of long-term **bicycle parking spaces** to be provided is:

- (i) 0.1 for each 100 square metres of **interior floor area** used for a **hospital**, if the **lot** is in Policy Area 1; and
- (ii) 0.06 for each 100 square metres of **interior floor area** used for a **hospital**, if the **lot** is not in Policy Area 1.

Chapter 280 Special Districts - Downtown

280.5 General Regulations applying to the Downtown

280.5.80 Parking

(1) Parking Exception for change of Non-residential use

In Policy Area 1 (PA1), if a change of non-residential use is proposed for a **building** which lawfully existed or was erected pursuant to a **building** permit issued on or before March 7, 1983, and a minimum of 75% of the **lot area** is occupied by the **building**:

(A) additional **parking spaces** may not be required for a non-residential use; and

(B) the number of **parking spaces** existing on the **lot** may not be reduced.

280.5.90 Loading

(1) Downtown - Loading Space Mixed Use Building

In Policy Area 1 (PA1), if a mixed-use **building** contains more than 30 **dwelling units**, the residential **loading space** requirement of this By-law does not to apply, if a minimum of one non-residential **loading space** is constructed to the specifications of a (Type G) **loading space**.

Chapter 300 Special Districts - Centres

300.10 North York Centre

(0) (There is no applicable regulation at this time)

300.20 Scarborough Centre

(0) (There is no applicable regulation at this time)

300.30 Etobicoke Centre

(0) (There is no applicable regulation at this time)

Chapter 400 Special Districts - Avenues

400.20 General Regulations applying to Special Districts - Avenues

(0) (There is no applicable regulation at this time)

Chapter 500 Special Districts - Heritage

500.5 General Regulations applying to Heritage Zones

(0) (There is no applicable regulation at this time)

Chapter 550 Holding Provision By-laws -

Section 36

(1) Holding Provision 1

Holding Provision (H1) shall be removed in whole or in part, if Council is satisfied that:

- (A) Additional studies are undertaken to evaluate the existing City **infrastructure** in order to determine the impact that the new development will have on existing municipal services, and identifying the measures required to mitigate such impacts.
- (B) An updated Transportation Study is undertaken which assesses the potential impact of any additional development and identifies appropriate mitigation measures.
- (C) Environmental studies, including Subsurface Investigations, are undertaken to confirm that the soil conditions and other matters relating to environmental quality, can meet the relevant Ministry of the Environment guidelines for the proposed use.
- (D) Storm/Ground Water Management reports are undertaken to determine the impact that the new development will have on the Highland Forest Environmentally Significant Area.
- (E) The necessary financially secured agreements between the applicant and the City have been entered into to provide for:
 - (i) any additional capacity required to accommodate the proposed development, and
 - (ii) the required dedication and/or improvements to, or reconstruction of roads to support this development.

(2) Holding Provision 2

Only the following uses are permitted prior to the removal of the Holding Provision (H2):

- (A) Gravel parking **lots**; or
- (B) Recreational Uses, if they are outdoor playing fields with only permeable surfaces.

(3) Holding Provision 3

Only the following uses are permitted prior to the removal of the Holding Provision (H3).

- (A) Post Secondary Schools, if the maximum **gross floor area** used for all secondary schools may not be greater than 24,154 square metres.
- (B) Surface parking **lots**.

(C) Recreational Uses, if they are outdoor playing fields with only permeable surfaces.

(4) Holding Provision (H4)

The following applies to the lands subject to the holding provision H4:

- (A) Prior to the removal of the holding symbol H4 the maximum **gross floor area** permitted on the **lot** is not to exceed the area of the **gross floor area** on the **lot** on the date of the passing of this By-law.
- (B) The holding symbol H4 shall only be removed if the following conditions have been met:
 - (i) an updated traffic and parking impact study is prepared and submitted to the satisfaction of the General Manager of Transportation Services, and Chief Planner and Executive Director, and that study demonstrates that sufficient capacity is available to accommodate the additional traffic and parking generated by the Phase 2 (south) expansion, and that the development would not result in an unacceptable level of arterial road service; and
 - (ii) if the updated traffic and parking study establishes the need for additional on site parking, that a **building** permit has been issued for the west parking deck in **Building** Envelope D as shown on MAP 550.0.0.0.(4).

(5) Holding Provision 5

On those lands identified as Holding Provision 5 the following provisions shall apply:

(A) Matters to be provided pursuant to Section 37 of the Planning Act:

- (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide those facilities, services and matters as follows:
 - (a) Financial contribution to the City of Toronto in the amount of \$1,300.00 per **dwelling unit** and prepayment of the indoor **Parks** and Recreation component of Development Charges, to be applied towards provision of a **community centre** to serve the Warden Woods Community; and
 - (b) Arrangements satisfactory to the Manager of Heritage Preservation Services for the commemoration of the former Centennial College – Warden Woods Campus; and
- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, to secure the facilities, services and matters referred to (A)(i) herein and which shall be registered on title to the lands to which this By-law applies.

(6) Holding Provision 6

On those lands identified as Holding Provision 6 the following provisions shall apply:

(A) Matters to be provided pursuant to Section 37 of the Planning Act:

- (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide those facilities, services and matters as follows:

- (a) Financial contribution to the City of Toronto in the amount of \$1,000 per Senior Citizen's apartment unit and \$1,300 per unit for other **dwelling units** and prepayment of the indoor **Parks** and Recreation component of Development Charges, to be applied towards provision of a **community centre** to serve the Warden Woods Community; and
 - (b) Arrangements satisfactory to the Manager of Heritage Preservation Services for the commemoration of the former Lily Cup factory on this site; and
- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, to secure the facilities, services and matters referred to in (A)(i) herein and which shall be registered on title to the lands to which this By-law applies.

(7) Holding Provision 7

On those lands identified as Holding Provision 7 the following provisions shall apply:

(A) Matters to be provided pursuant to Section 37 of the Planning Act:

- (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide the following facilities, services and matters as follows:
 - (a) Financial contribution to the City of Toronto in the amount of \$1,300.00 per **dwelling unit** to be used as a contribution towards a **community centre** to serve the Warden Woods Community;
 - (b) Design and construction of a new public **street** over the City of Toronto lands to the south of the site connecting from Warden Avenue to the new **park**;
 - (c) Design and construction of a new public pedestrian walkway from the development to General Brock **Public School**, or submission of a suitable financial contribution to the City of Toronto in-lieu thereof to the satisfaction of the Chief Planner and Executive Director; and
- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, to secure the facilities, services and matters referred to in (A)(i) herein and which shall be registered on title to the lands to which this By-law applies.

(8) Holding Provision 8

On those lands identified as Holding Provision 8 the following provisions shall apply:

(A) Matters to be provided pursuant to Section 37 of the Planning Act:

- (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide the following facilities, services and matters as follows:
 - (a) Financial contribution to the City of Toronto in the amount of \$1,300.00 per **dwelling unit**, for a minimum of 140 units, towards provision of a **community centre** to serve the Warden Woods Community; and

(b) Arrangements satisfactory to the Manager of Heritage Preservation Services for the commemoration of the former Bell/Donland's/Becker's Dairy; and

- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, to secure the facilities, services and matters referred to in Section (A)(i) herein and which shall be registered on title to the lands to which this By-law applies.

Permitted uses within Area (a) prior to the removal of the Holding Provision (H) from the zoning for the lands shall be restricted to a parking **lot** as the sole use providing visitor parking required for **dwelling units** in an **apartment building** within Area (b).

- (B) Permitted uses within the area of Holding Provision 8 prior to the removal of the Holding Provision (H) from the zoning for the lands shall be restricted to visitor **parking spaces** required for **dwelling units** in an **apartment building** within the area of Holding Provision 9

(9) Holding Provision 9

On those lands identified as Holding Provision 9 the following provisions shall apply:

- (A) Matters to be provided pursuant to Section 37 of the Planning Act:

- (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide the following facilities, services and matters as follows:

- (a) Financial contribution to the City of Toronto in the amount of \$1,300.00 per **dwelling unit**, for a minimum of 140 units, towards provision of a **community centre** to serve the Warden Woods Community; and
- (b) Arrangements satisfactory to the Manager of Heritage Preservation Services for the commemoration of the former Bell/Donland's/Becker's Dairy; and

- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, to secure the facilities, services and matters referred to in Section (A)(i) herein and which shall be registered on title to the lands to which this By-law applies.

- (B) Permitted uses within Area (a) prior to the removal of the Holding Provision (H) from the zoning for the lands shall be restricted to a parking **lot** as the sole use providing visitor parking required for **dwelling units** in an **apartment building** within Area (b).

- (C) The Holding Provision (H) shall be removed in whole or in part by amending By-law to enable residential development to proceed in accordance with the Warden Woods Community Secondary Plan and having regard to established Urban Design Guidelines, if Council is satisfied as to:

- (i) The owner demonstrating to the satisfaction of the Chief Planner and Executive Director, that sufficient parking will be available to satisfy visitor parking

requirements for existing and any future development within area of Holding Provision 9.

(10) Holding Provision 10

On those lands identified as Holding Provision 10 the following provisions shall apply:

(A) Matters to be provided pursuant to Section 37 of the Planning Act:

- (i) The owner of the lands at its expense and in accordance with, and subject to, the agreements referred to in Section (ii) herein shall provide the following facilities, services and matters as follows:
 - (a) Financial contribution to the City of Toronto in the amount of \$1,300.00 per **dwelling unit** to be used as a contribution towards a **community centre** to serve the Warden Woods Community;
 - (b) Design and construction of a new public **street** over the City of Toronto lands to the south of the site connecting from Warden Avenue to the new **park**;
 - (c) Design and construction of a new public pedestrian walkway from the development to General Brock **Public School**, or submission of a suitable financial contribution to the City of Toronto in-lieu thereof to the satisfaction of the Chief Planner and Executive Director; and
- (ii) The owner of the lands shall enter into one or more agreements with the City of Toronto pursuant to Section 37 of the Planning Act, to secure the facilities, services and matters referred to in (A)(i) herein and which shall be registered on title to the lands to which this By-law applies.

(B) If not provided for on-site, required **parking spaces** shall be permitted and provided only within the area bounded by Warden avenue, Deans Drive and Mendelssohn **Street** immediately west of the area of Holding Provision 10.

(11) H(11)

H(11) - holding provisions under RD(x675) North York site specific bylaw 482-2006 from NY map 21.

(12) H(12)

H(12) - holding provisions under RS(x193) North York site specific bylaw 482-2006 from NY map 21.

(13) H(13)

H(13) - holding provisions under RT(x167) North York site specific bylaw 482-2006 from NY map 21.

(14) (h14) CRE Zone - Principal Use

The following principal uses are permitted in a given (h14)CRE zone:

Park*

(15) (h14) CRE Zone - Principal Use – Conditional

The following uses are permitted, subject to the (h14) CRE Use Condition in 550

and specific conditions set out for each use in Clause 50.10.20.100 noted by the symbol 'r' in a given (h14)CRE zone:

none

The following uses are permitted, subject to the (h14) CRE Use Condition in 550 and specific conditions set out for each use in Clause 50.10.20.100 noted by the symbol 'c' in a given (h14)CRE zone:

Amusement Arcade (2)

Software Development and Processing*

Office

Financial Institution* (24)

Eating Establishment* (3,24)

Eating Establishment, Take out* (3,24)

Personal Service Shop* (24)

Retail Store* (24)

Vehicle Dealership*

Vehicle Fuel Station*

Vehicle Service Shop*

Vehicle Washing Establishment*

Public Utility* (8)

Public Works Yard* (9)

Animal Shelter (10)

Passenger Terminal

Day Nursery*

Educational Facility*

Veterinary Hospital*

Laboratory* (11)

The following uses are permitted, subject to the (h14) CRE Use Condition in 550 and specific conditions set out for each use in Clause 50.10.20.100 noted by the symbol 'e' in a given (h14)CRE zone:

Service Shop* (24)

Showroom* (24)

Wholesaling Use* (24)

Artist Studio*

Production Studio*

Warehouse*

Warehouse, Self-storage*

Cold Storage

Food **Warehouse**

Bindery

Custom Workshop*

Carpenter's Shop

Industrial Sales and Service Use*

Dry Cleaning or Laundry Plant

Contractor's Establishment (12)

Electronic Equipment, Appliance and Component Manufacturing (13)

Apparel or Textile Manufacturing (14)

Printing Establishment

Fabricated Metal manufacturing (15)

Food or Beverage Manufacturing (16)

Wood Products Manufacturing (17)

Glass Manufacturing (18)

Pharmaceutical or Medicine Manufacturing (19, 20)

Plastic Manufacturing (19, 21)

Clay Products Manufacturing (19, 22)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 50.10.20.100

(16) (h14) CRE Zone -Ancillary Use

The following **ancillary** uses are permitted:

Outdoor Sales or Display*

The following **ancillary** uses are permitted subject to the specific conditions set out for the particular use in Clause 50.10.20.100:

Amusement Devices (a25)

Outdoor Patio* (a26)

*This is a defined term in Chapter 800 of this By-law.

(#) The number after the listed use is the condition number reference in Clause 50.10.20.100

(17) (h14) CRE Use Condition

A use is permitted if it is located in a **building** which was lawfully erected on a **lot** on (date in 1996 that the former RA zone was enacted).

(18) York exception 306, bylaw 1472-88, Map 22, H(18)

Until the removal of the holding symbol "H" any portion of the site zoned with an "H" shall be used only for the purposes existing at the time of the passing of bylaw 1472-88 including outdoor and indoor storage of machinery parts or for the purposes of open space.

(19) H(19)

H(19) - North York Exception RM6(168) (H-1) (H-2) (H-3) (H-4) (H-5), By-law 865-2008(OMB), Map 28

120 and 130 George Henry Boulevard, 32-50, 65 and 80 Forest manor Road and 100, 102, 110 and 125 Parkway Forest Drive

see By-law and Schedules

Holding Provisions:

section (tt) - despite the permitted uses for each of Blocks A, B, C and D - the site is subject to holding restrictions

- (i) subject to all restrictions - maximum 466 **dwelling units** within the site and only on Block A
- (ii) Schedules B and C have been amended and H-1 removed - maximum of 868 new **dwelling units** within the site and only within Block A
- (iii) Schedules B and C have been amended and H-1 and H-2 removed - maximum of 1,210 new **dwelling units** and only within Block A
- (iv) Schedules B and C have been amended and H-1, H-2 and H-3 removed - maximum of 1,556 new **dwelling units** within the site and only within Block A and B
- (v) Schedules B and C have been amended and H-1, H-2, H-3 and H-4 removed maximum 1655 new **dwelling units** within the site and only within Block A, B and C an at least 990 new **dwelling units** shall be within Block A
- (vi) Schedules B and C have been amended and H-1, H-2, H-3, H-4 and H-5 removed the maximum number of units and **gross floor area** is permitted.

CRITERIA FOR REMOVING HOLDING PROVISIONS

see section (vv) of the By-law

(20) Holding Provision 20

- (a) No uses are permitted until Holding Provision (H 20) is removed.
- (b) Holding Provision (H 20) can be removed by ammending by-law when Council is satisfied that Officail Plan, Site and Area Specific Policy No. 135 has been met.

Chapter 600 Regulations for Overlay Zones

600.10 Policy Areas Overlay

(1) Parking Regulation Application

If a **lot** is located in Policy Area 3 (PA3) or Policy Area 4 (PA4) on the Policy Area Overlay the parking rate regulations applicable to these areas apply only to the portion of **building** and the portion of the **lot** that is:

- (i) within the policy area; and
- (ii) located within 40 metres of the **front lot line**.

600.30 Natural Hazard Setback Overlay

(1) Application of Natural Hazard Overlay Regulations

The regulations in this Section (600.30) apply to lands, **buildings** and **structures** in or partly in the areas identified on the Natural Hazard Overlay Map.

(2) Determining the Shoreline Hazard Limit and the Stable Top-of-Bank

No **building** or **structure** is permitted on a **lot** in or partly in an area identified on the Natural Hazard Overlay Map unless the following has been provided on a Plan of Survey that is stamped and approved by the Toronto and Region Conservation Authority:

(A) the shoreline hazard limit on the **lot** or within a distance of 10 metres from the **lot**; and

(B) the stable top-of-bank on the **lot** or within a distance of,

- (i) 10.0 metres from the **lot** if it is in Area 1 shown on the Natural Hazard Overlay Map, or
- (ii) 30.0 metres from the **lot** if it is in Area 2 shown on the Natural Hazard Overlay Map.

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

If a shoreline hazard limit or a stable top-of-bank crosses a **lot**, except for conservation works, **public utilities** and **transportation uses**, no **building** or **structure** is to be located on the portion of the **lot** below the shoreline hazard limit or stable top-of-bank, unless it is in an ON zone.

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

If a shoreline hazard limit or stable top-of-bank crosses a **lot**, the portion of the **lot** below the shoreline hazard limit or stable top-of-bank is not included in the calculation of the **floor space index** for the **lot**.

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

No **building** or **structure** is to be closer than:

(A) 10.0 metres to a shoreline hazard limit;

(B) 10.0 metres to a stable top-of-bank in Area 1 shown on the Natural Hazard Overlay Map; and

(C) 30.0 metres to a stable top-of-bank in Area 2 shown on the Natural Hazard Overlay Map.

(6) Exemption for Existing Buildings Not Complying With Location Restriction Below the Shoreline Hazard Limit or Stable Top-of-Bank

If on the date of enactment of this By-law, on a **lot** in or partly in an area shown on the Natural Hazard Overlay, a lawfully erected **building** or **structure** exists on a portion of the **lot** below the shoreline hazard limit or stable top-of-bank, the location restriction in 600.30 (3) does not apply to prevent the alteration or replacement of that **building** or **structure**, in whole or in part, if the location, the height, and the horizontal dimensions of the **building** or **structure** are no different from that which lawfully exists.

(7) Exemption for Existing Buildings Not Complying With Floor Area Calculation Restriction Below the Shoreline Hazard Limit or Stable Top-of-Bank

If on the date of enactment of this By-law, on a **lot** in or partly in an area shown on the Natural Hazard Overlay, a lawfully erected **building** or **structure** complied with the applicable former zoning bylaw for **gross floor area**, or has a **gross floor area** that was permitted for this **building** or **structure** by a section 45 Planning Act minor variance and that lawfully existing **gross floor area** is greater than the **gross floor area** permitted by this By-law, then the maximum **gross floor area** for that existing **building** or **structure** is its **gross floor area** on the date of enactment of this By-law; and the floor area calculation restriction in 600.30 (4) does not apply to prevent the alteration or replacement of that **building** or **structure**, in whole or in part, if the total **gross floor area** is no greater than the lawfully existing **gross floor area**.

(8) Exemption for Existing Buildings Not Complying With Separation Distance from the Shoreline Hazard Limit or Stable Top-of-Bank

If on the date of the enactment of this By-law, on a **lot** in or partly in an area shown on the Natural Hazard Overlay, a lawfully erected **building** or **structure** is closer to the Shoreline Hazard Limit or Stable Top-of-Bank than the separation distance required in 600.30 (5), the lawfully existing **building** or **structure** may be altered or replaced if the alteration or replacement is no closer to the Shoreline Hazard Limit or Stable Top-of-Bank than the existing distance at every point along the relevant **main walls** of the lawfully existing **building** or **structure**.

Chapter 700 Non-conformity / Non-compliance

(1) Parking Space Deficiency - addition, enlargement or alteration

If the existing number of **parking spaces** on a **lot** is less than the minimum number of spaces required and an addition, enlargement or alteration to the **building** is made:

(A) the total number of existing **parking spaces** on the **lot** are to be retained; and

(B) additional **parking spaces** are to be provided at the rate required by this By-law for the addition, enlargement or alteration.

(2) Parking Space Deficiency - Change of Use

If the existing number of **parking spaces** on a **lot** is less than the minimum number of spaces required for the existing use:

(A) the use may be changed to another use permitted in the zone, if the total number of **parking spaces** on the **lot** is not decreased and:

(i) the proposed use does not have a larger **parking space** requirement than the existing use, or

(ii) the number of **parking space** to be provided is subject to an variance under Section 45 of the Planning Act.

700.10 Regulations Applying to a Non-complying Lot

700.10.1 General

(1) Addition, Enlargement or Alteration to Buildings or Structures on Non-Complying Lots

If on the date of the enactment of this by-law a lawfully existing **building** or **structure** is on a **lot** with a **lot area** or **lot frontage** that complies with the applicable former zoning by-law which is less than the **lot area** or frontage required by this by-law, or is legal non-conforming, the existing **building** or **structure** may be replaced, added to, enlarged or altered if the replacement, addition, enlargement, or alteration complies with all applicable regulations of this by-law other than **lot area** or **lot frontage** or is permitted by a Section 45 Planning Act minor variance.

(2) Undersized Lot - Vacant Lot Fronting on a Street and Having Less Than The Required Frontage

If on the date of the enactment of this by-law a vacant **lot** complies with the regulations of the applicable former zoning by-law and has a **lot frontage** less than that required by this by-law, but not less than 6.0 metres, a **detached house** may be constructed, on the **lot**, if it complies with all other applicable regulations of this by-law or is permitted by a Section 45 Planning Act minor variance.

(3) Undersized Lot - Vacant Lot With Lot Depth Less Than Required

If on the date of the enactment of this by-law a vacant **lot** complies with the applicable former zoning by-law, a **detached house** or **semi-detached house** may be constructed, on the **lot**, if it complies with all other applicable regulations of this by-law or is permitted by a Section 45 Planning Act minor variance.

700.20 Regulations Applying to a Non-complying Building

700.20.1 General

(1) Non-complying building setbacks

If on the date of the enactment of this by-law a **building** or **structure** complied with the applicable former zoning by-law and is closer to a **lot line** or the wall of a **building** or **structure** than permitted by this by-law, it may be replaced, added to, altered or enlarged if it complies with all other applicable regulations of this by-law or is permitted through a Section 45 Planning Act minor variance provided the existing set back is not further reduced.

(2) Height - Exemption for Certain Buildings or Structures

If on the date of the enactment of this by-law a lawfully erected **building** has a **building** height greater than the height permitted by this By-law, the **building** may be used for a use permitted in the zone, if it complies with all other applicable regulations of this by-law.

(3) Addition, Enlargement or Alteration to Non-Complying Buildings or Structures

If on the date of the enactment of this by-law, a lawfully erected **building** or **structure** complied with the applicable **building** regulations of the former zoning by-law and does not comply with the **building** regulations of this by-law, it may be added to, enlarged or altered if the addition, enlargement or alteration complies with all applicable regulations of this by-law or is permitted by a Section 45 Planning Act minor variance.

(4) Non-Complying Building or Structure - Substantial Demolition

A **building** is substantially demolished if 50% or more of the **main walls** of the first **storey** have been removed.

(5) Reconstruction of Existing Legal Non-complying Building

The regulations for Substantial Demolition, Restoration to a Safe Condition and Reconstruction due to an Act of God also apply to an Existing Legal Non-complying **Building**.

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

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

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

If a lawfully erected **building** or **structure** that does not comply with the **building** regulations for the zone in which it is located has been determined to be in an unsafe condition by the City of Toronto, the unsafe portion of the **building** or **structure** may be repaired or restored to a safe condition if the restoration or repair will not increase the height, size, or volume or change the use of the **building** or **structure**; and the restoration or repair will not alter the location of any part of the **building** or **structure**.

700.30 Regulations Applying to a Non-conforming Use

700.30.1 General

(1) Legal Non-conforming use

This By-law does not prevent the use of **premises** for a purpose not permitted by this By-law within the zone in which it is located, if such use lawfully existed on date of the enactment of this By-law, and if it continues to be used for that purpose.

(2) Reconstruction of Existing Building Containing a Legal Non-conforming Use

A **building** or **structure** containing a legal non-conforming use may be reconstructed under the rules for Substantial Demolition, Restoration to a Safe Condition and Reconstruction due to an 'Act of God'.

Chapter 800 Definitions

800.50 Defined Terms

(5) Adult Entertainment Establishment

means **premises**, or any part of such **premises**, in which are provided, in the pursuance of a business, trade, or occupation, services designed to appeal to erotic or sexual appetites or inclinations;

(10) Agricultural Use

means the use of **premises** for growing and harvesting plants or raising animals, fowl, fish or insects.

(15) Amenity Space

means indoor or outdoor space on a **lot** that is:

- (i) **ancillary** to the main use, and
- (ii) communal and available for use by the occupants of a **building** on the **lot**, or the general public, or both, for recreational or social activities.

(20) Amusement Arcade

means **premises** where more than 2 **amusement devices** are provided for patron use on the **premises**.

(25) Amusement Device

means a machine or electronic device used for games of skill or chance other than:

- (i) billiards,
- (ii) bowling, and
- (iii) any gaming or lottery device regulated under Province of Ontario legislation.

(30) Ancillary

means naturally and normally incidental, subordinate in purpose or floor area, and exclusively devoted to a principal use, **building** or **structure**.

(35) Ancillary Sign

means a sign that relates exclusively to the use of the **premises** on which the sign is located.

(37) Angular Plane

means an imaginary flat surface projecting over a **lot**, at an inclined angle measure up from the horizontal.

(40) Animal Shelter

means **premises** used for the keeping, adoption or disposal of stray, abandoned or wild animals.

(45) Apartment Building

means a **building** that has five or more **dwelling units**, with at least one **dwelling unit** entirely or partially above another, and each **dwelling unit** has a separate entrance directly from outside or through a common inside area.

(50) Art Gallery

means **premises** used for the exhibition, collection or preservation of works of art for public viewing.

(55) Artist Studio

means **premises** used for creating art or craft.

(60) Automated Banking Machine

means a device at which customers can complete self-serve financial transactions.

(65) Average Grade

means the average elevation of the ground surface around all sides of a **building** or **structure**, measured where the **building** or **structure** meets the ground surface, excluding:

- (i) the part of the ground along any one **main wall** where there is a permitted **driveway** for **vehicle** access into the **building** or **structure**; and
- (ii) parts of the ground along each **main wall**, up to a cumulative maximum of { 25% } of the horizontal length of the wall, where there are pedestrian entrances or window wells.

(70) Basement

means the portion of a **building** between the **first floor** and any floor below the **first floor**.

(75) Bed-Sitting Room

means a room used as separate living accommodation that:

- (i) has a private entrance from a hallway inside a **building**, and
- (ii) may have sanitary facilities but not food preparation facilities.

(80) Bicycle Parking Space

means an area used for the purpose of parking or storing a bicycle.

(85) Building

means a fully or partially enclosed **structure** having a roof supported by walls, columns, piers or other structural systems, but does not include a **vehicle**.

(90) Building Depth

means the horizontal distance between the **front yard setback** required on a **lot** and the portion of the principal building's rear **main wall** furthest from the required **front yard setback**, measured along a line that is perpendicular to the **front yard setback** line.

(95) Building Length

means the horizontal distance between the portion of the **front wall** of a principal **building** on a **lot** closest to the **front lot line**, and the portion of the rear **main wall** of the **building** closest to the **rear lot line**, measured along the **lot centreline**. If the relevant parts of these walls are not intersected by the **lot centreline**, the measurement is from the point on the **lot centreline** where a line drawn perpendicular to the **lot centreline** connects with the relevant part of the wall.

(100) Building Setback

means a horizontal distance measured at a right angle from any **lot line** to the nearest part of the **main wall** of a principal **building**.

(105) Cabaret

means **premises** used to provide entertainment where patrons are seated at tables and where food or beverages may be offered for sale, such as a dinner theatre or comedy **club**. An **Adult Entertainment Establishment**, an **Eating Establishment**, a **Nightclub**, or an **Entertainment Place of Assembly** is not a **Cabaret**.

(110) Cemetery

means **premises** used for the interment of human remains, which may include one or more of the following:

- (i) scattering grounds;
- (ii) **columbarium**; or
- (iii) **mausoleum**.

(115) Chemical Manufacturing, Processing or Storage

means **premises** used to manufacture, produce or store chemicals.

(120) Club

means **premises**:

- (i) operated by members of a **non-profit organization** that maintains formal membership and generally limits attendance at meetings to members, and
- (ii) used for meetings and gatherings for social, cultural, recreational, charitable or community service purposes.

A **club** is not a **community centre**.

(125) Cogeneration Energy

Cogeneration Energy means thermal energy and electrical energy simultaneously produced from the same process.

(130) Columbarium

means a **building** or **structure** used only for the interment of cremated human remains.

(135) Community Centre

means **premises** operated by or on behalf of a government or **non-profit organization** and used for the purpose of providing community activities, such as arts, crafts, recreational, social, charitable and educational activities. A **community centre** is not a **club**.

(140) Contractor's Establishment

means **premises** used as the base of operations of a tradesperson or contractor.

(145) Corner Lot

means a **lot** situated,

- (i) at the intersection of two or more **streets** having an interior angle of intersection of 135 degrees or less, or
- (ii) where one **street** bends to create an interior angle of 135 degrees or less.

(150) Courtyard

means any area on a **lot** that is bounded on two or more sides by one or more **buildings** on the same **lot**.

(155) Crematorium

means a **building** or **structure** used to cremate human remains.

(160) Crisis Care Shelter

means **premises** in which short-term emergency shelter and associated support services are provided and supervised, and is operated by an agency other than the City of Toronto or any agency of the City of Toronto.

(165) Custom Workshop

means **premises** used for producing or making custom-made goods in limited quantities, using techniques that do not involve mass-production.

(170) Day Nursery

means **premises** used for the purpose of providing temporary care or guidance for more than five children, for a continuous period not exceeding twenty-four hours, and which is regulated by applicable Province of Ontario legislation for **Day Nurseries**. A recreational program operated by or for the City is not a **Day Nursery**.

(175) Detached House

means a **building** that has one **dwelling unit** occupying the whole **building**.

(180) Distribution

Distribution means the delivery of energy derived from **renewable energy** or **cogeneration energy**, to a **distribution** network connected to the **lot**.

(182) District Heating and Cooling Plant

means **premises** used to generate, for mass **distribution**, thermal energy to heat or cool.

(185) Drive Aisle

means a vehicular passageway located within an area used for the parking or storage of 3 or more **vehicles**.

(190) Drive-in Eating Establishment

means **premises** where food or beverages are prepared and offered for sale to patrons for consumption while remaining in their **vehicles**.

(195) Drive-Through Facility

means **premises** used to provide or dispense products or services, through an attendant, window or an automated machine, to persons remaining in **vehicles** that are in a designated **stacking aisle**. A **vehicle washing establishment** or a **vehicle fuel station** is not a **Drive-Through Facility**.

(200) Driveway

means a passageway providing vehicular access between a **street** or **lane** and an area used for the parking, loading or storage of a **vehicle**.

(205) Duplex

means a **building** that has only two **dwelling units**, with one **dwelling unit** entirely or partially above the other.

(210) Dwelling Unit

means living accommodation for a person or persons living together in a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the unit.

(215) Eating Establishment

means **premises** where food or beverages are prepared and offered for sale to patrons for immediate consumption on the **premises** while they are seated, and which may include an incidental take-out service.

(220) Education Use

means the use of **premises** for education or training, other than:

- (i) a **post-secondary school**;
- (ii) a school regulated under the Education Act, R.S.O. 1990, c.E.2, as amended; or
- (iii) a **religious education use**.

(225) Entertainment Place of Assembly

means **premises** used to provide entertainment, such as a theatre, cinema, opera, concert hall or ballet. An **Adult Entertainment Establishment**, an **Eating Establishment**, a **Cabaret**, or a **Nightclub** is not an **Entertainment Place of Assembly**.

(230) Established Grade

means the average elevation of the two points where the required minimum **front yard setback line** meets the **side lot lines**.

(235) Financial Institution

means **premises** used to provide financial services to the public, other than exclusively through an **Automated Banking Machine**.

(240) First Floor

means the floor of a **building** closest to **established grade**.

(250) Floor Space Index

is the **gross floor area** of all **buildings** on a **lot** divided by the **lot area**.

(255) Fourplex

means a **building** that has only four **dwelling units**, with at least one **dwelling unit** entirely or partially above another.

(260) Front Lot Line

means the **lot line** or contiguous lines dividing a **lot** from a **street**.

(265) Front Wall

means any portion of the **main wall** of a **building** or **structure** that faces a **front lot line**.

(270) Front Yard

means the area on a **lot**,

- (i) between the **front lot line** and all **front walls** of the principal **building**, and

- (ii) extending parallel to the **front lot line** across the full width of the **lot** from the point where the **front wall** of the principal **building** meets the building's side **main walls** closest to the respective **side lot lines**.

(275) Front Yard Setback

means a horizontal distance on a **lot** measured at a right angle from the **front lot line** to the nearest **main wall** of a principal **building** or **structure**.

(280) Funeral Home

means **premises** used for the care and preparation of human remains, and which may include related co-ordination and provision of rites and ceremonies. A **Funeral Visitation Centre** is not a **Funeral Home**.

(285) Funeral Visitation Centre

means **premises** established for the purpose of temporarily placing human remains so that persons may attend and pay their respects, and which may include related co-ordination and provision of rites and ceremonies, but does not include the care and preparation of human remains.

(290) Gaming Establishment

means **premises** used for the purpose of wagering on games of chance under Province of Ontario legislation, excluding bingo or other lottery events licensed by the City of Toronto for charitable purposes.

(295) Geo Energy

means energy derived from the temperature of the earth that is used to produce thermal energy or converted to produce electrical energy.

(297) Green Roof

means an extension to a building's roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in accordance with the Toronto **Green Roof** Construction Standard.

(300) Gross Floor Area

means the total area of each floor level of a **building**, above and below grade, measured from the exterior of the **main wall** of each floor level, including voids at the level of each floor, such as an atrium, mezzanine, stairwell, escalator, elevator, ventilation duct or utility shaft, but excluding areas used for the purpose of parking or loading.

(305) Group Home

means **premises** used to provide supervised living accommodation, licensed or funded under Province of Ontario or Government of Canada legislation, for three to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a group living arrangement by reason of their emotional, mental, social or physical condition or legal status.

(310) Heritage District

means an area identified as being of historical, architectural, archaeological or cultural heritage value or interest, and designated as a Heritage Conservation District pursuant to the Ontario Heritage Act R.S.O. 1990, c.O.18, as amended.

(315) Heritage Site

means **premises** included in the City of Toronto Inventory of Heritage Properties,

listed as being of historical, architectural, archaeological or cultural heritage value or interest, or designated as such pursuant to the Ontario Heritage Act R.S.O. 1990, c.O.18, as amended.

(320) Holistic Centre

means **premises** used by a business establishment to provide services for therapeutic and wellness purposes, that may be provided by persons other than medical or health professionals licensed or registered under applicable Province of Ontario legislation.

(325) Home Occupation

means a business use within a **dwelling unit**, where the **dwelling unit** is the principal residence of the business operator.

(330) Hospital

means **premises** used as a private or public **hospital** under Province of Ontario legislation for the care or treatment of:

- (i) persons afflicted with or suffering from sickness, disease or injury;
- (ii) convalescent or chronically ill persons;
- (iii) persons suffering from substance addictions; or
- (iv) persons suffering from emotional, psychological or mental disorders.

(335) Hotel

means **premises** used by a business establishment to cater to the needs of the travelling public by providing sleeping accommodation in rooms or suites, and it may include an **ancillary eating establishment**.

(340) Industrial Sales and Service Use

means the use of **premises** for the lease, rental, sale, servicing or repair of equipment or goods for businesses only. Industrial Sales and Service does not include the lease, rental, sale, servicing, customizing or repair of **vehicles**, other than for construction or agriculture.

(345) Interior Floor Area

means the floor area of any part of a **building**, measured to:

- (i) the interior side of a **main wall**;
- (ii) the centreline of an interior wall; or
- (iii) a line delineating the part being measured.

(350) Kennel

means **premises** used for boarding, training or breeding of dogs, cats or other domestic animals.

(355) Key Lot

means a **lot** that abuts a **corner lot**.

(360) Laboratory

means **premises** used for scientific or technical research, analysis, experimentation or development.

(365) Landscaping

means trees, plants, decorative stonework, retaining walls, walkways, or other landscape-architectural elements. **Driveways** and areas for loading, parking or storing **vehicles** are not **Landscaping**.

(370) Lane

means a public right-of-way that is not for general traffic circulation.

(380) Loading Space

means an area used for the loading or unloading of goods or commodities from a **vehicle**.

(385) Lot

means a single parcel or tract of land that may be conveyed in accordance with the provisions of the Planning Act of the Province of Ontario.

(390) Lot Area

means the horizontal area within all the **lot lines** of a **lot**.

(395) Lot Centreline

means a straight line joining the midpoint of the **front lot line** and the midpoint of the **rear lot line**.

(400) Lot Coverage

means the portion of the **lot** that is covered by any part of any **building** or **structure** on or above the surface of the **lot**.

(405) Lot Depth

means the horizontal distance between the front and **rear lot lines** of a **lot**, measured along the **lot centreline**.

(410) Lot Frontage

means the horizontal distance between the **side lot lines** of a **lot**, or the projection of the **side lot lines**, measured along a straight line drawn perpendicular to the **lot centreline** at the minimum required **front yard setback**.

(415) Lot Line

means any boundary of a **lot**.

(420) Main Wall

means any exterior wall of a **building** or **structure**, including all structural members essential to the support of a roof over a fully or partly enclosed area.

(425) Manufacturing Use

means the use of **premises** for fabricating, processing, assembling, packaging, producing or making goods or commodities, and it may include **ancillary** repair of those goods.

(430) Market Garden

means **premises** used for growing and harvesting vegetables, fruits, flowers, shrubs, trees or other horticultural products for the purpose of sale.

(435) Mausoleum

means a **building** or **structure**, other than a **Columbarium**, used for the interment of human remains.

(445) Municipal Shelter

means **premises** in which short-term emergency shelter and associated support services are provided and supervised, and is operated by or for the City of Toronto, or an agency of the City of Toronto.

(450) Museum

means **premises** used for the exhibition, collection or preservation of objects of cultural, historical or scientific interest for public viewing.

(455) Nightclub

means **premises** used to provide dance facilities for patrons and where food or beverages may be offered for sale, such as a dance hall or disco. A **Cabaret**, an **Entertainment Place of Assembly**, an **Eating Establishment**, or an **Adult Entertainment Establishment** is not a **Nightclub**.

(460) Non-Ancillary Sign

means a sign that does not relate to the use of the **premises** on which the sign is located.

(465) Non-Profit Organization

means :

- (i) a corporation without share capital to which the provisions of Part III of the Corporations Act, R.S.O. 1990, c.C.38, as amended, apply; or
- (ii) a **non-profit organization**, a charitable organization or a registered charity, as those terms are defined in the Income Tax Act, R.S.C. 1985, Chapter 1 (5th Supp.), as amended.

(467) Non-Residential Building

means a **building** other than an **apartment building**, **detached house**, **duplex**, **fourplex**, **semi-detached house**, **townhouse**, or **triplex**.

(470) Nursing Home

means **premises** used to provide living accommodation and regular nursing care for persons of any age and which contains personal and medical care facilities, common lounges and dining areas.

(475) Obnoxious Use

means the use of **premises** in a manner that is offensive by the creation or transmission of noise, vibration, illumination, emissions, fumes, odour, dust or radiation, or any combination of these, beyond any **lot lines** of the **premises**.

(480) Off-site Parking

means one or more **parking spaces** on one **lot** providing required **parking spaces** for a use on another **lot**.

(485) Open Storage

means the use of **premises** for keeping or storing goods, commodities, containers or equipment other than in a wholly enclosed **building**. **Public parking**, or the parking or storing of **vehicles** in a **vehicle depot** or in a required **parking space**, is not **Open Storage**.

- (490) Outdoor Patio
means an outdoor patron area **ancillary** to a non-residential use.
- (495) Park
means **premises** used for conservation, horticulture, or outdoor public recreation.
- (500) Parking Garage
means a **building** or portion thereof, containing one or more **parking spaces**.
- (505) Parking Space
means an area used for the parking or storing of a **vehicle**.
- (510) Passenger Terminal
means **premises** used for the boarding or discharge of people being transported.
- (515) Performing Arts Studio
means **premises** used for the rehearsal of performing arts, such as music, dance or theatre.
- (520) Personal Service Shop
means **premises** used to provide personal grooming services or for the cleaning or care of apparel.
- (530) Pet Services
means **premises** used to provide for the grooming of domestic animals. A **veterinary hospital** or a **kennel** are not **pet services**.
- (535) Place of Assembly
means **premises** used for social, cultural, educational or trade events, such as a banquet hall or a convention or trade centre.
- (540) Place of Worship
means **premises** used by a **religious organization** for worship.
- (545) Post-Secondary School
means **premises** used for educational purposes by a degree-granting college or university under applicable Province of Ontario legislation.
- (550) Power Generation Use
means the use of **premises** for the production of energy for mass **distribution**.
- (555) Premises
means the whole or part of lands, **buildings** or **structures**, or any combination of these.
- (560) Private School
means **premises** used for elementary or secondary education regulated under the Education Act, R.S.O. 1990, c. E.2, as amended, but not publicly funded under the Act.
- (570) Private-Home Day Care
means **premises** used for the temporary care of five children or less where such

care is provided in a **dwelling unit**, other than the **dwelling unit** of a parent or guardian of any such child, for a continuous period not exceeding twenty-four hours.

(575) Production Studio

means **premises** used for producing live broadcasts, motion pictures, or audio or video recordings or transmissions. The mass reproduction of film or recordings is not a **Production Studio**.

(580) Public School

means **premises** used for elementary or secondary education regulated and funded under the Education Act, R.S.O. 1990, c. E.2, as amended.

(585) Public Parking

means **premises** containing one or more **parking spaces** as a principal use and the **parking spaces** are available for public use with or without a fee.

(600) Public Utility

means **premises** or facilities used for the **distribution** of gas, steam, electricity or other forms of energy, or the transmission of impulses, signals or messages, or for the collection, **distribution**, storage or treatment of water or sewage.

(605) Public Works Yard

means **premises** operated by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada, for the storage, manufacture, maintenance or repair of **buildings**, **infrastructure**, materials or equipment. A **Public Works Yard** may include uses such as a machine shop, paint shop, sign shop, wood-working shop, repair garage or storage facility used in connection with public works such as **transportation uses** and **parks**.

(610) Quarry

means **premises** used for any excavation regulated under Province of Ontario legislation applicable to extraction of consolidated or unconsolidated aggregates, such as clay, marl, sand, gravel, limestone, slate or granite.

(615) Rear Lot Line

means, in the case of:

- (i) a square or rectangular **lot**, the **lot line** opposite the **front lot line**;
- (ii) a three-sided **lot**, the point where two **lot lines** meet furthest from the **front lot line**; or
- (iii) any other type of **lot**, the furthest **lot line** opposite the **front lot line**, including any contiguous line adjoining it at an angle of less than 45 degrees.

(620) Rear Yard

means the area on a **lot**,

- (i) between the **rear lot line** and all rear **main walls** of the principal **building**, and
- (ii) extending parallel to the **rear lot line** across the full width of the **lot** from the point where the rear **main wall** of the principal **building** meets the building's side **main walls** closest to the respective **side lot lines**.

(625) Rear Yard Setback

means a horizontal distance on a **lot** measured at a right angle from the **rear lot line** to the nearest **main wall** of a principal **building** or **structure**.

(630) Recovery Facility

means **premises** used for separating or sorting **recyclable material**. A **salvage yard** is not a **Recovery Facility**.

(635) Recreation Use

means **premises** used for sports, physical play or exercise, such as a fitness **club**, bowling alley, billiards hall or pool hall, swimming pool or skating rink. An **amusement arcade** or a **sports place of assembly** is not a **Recreation Use**.

(640) Recyclable Material

means material that is separated into specific categories for purposes of re-use, recycling or composting.

(645) Religious Education Use

means the use of **premises** by a **religious organization** for religious education, other than:

- (i) a **post-secondary school**; or
- (ii) a school regulated under the Education Act, R.S.O. 1990, c.E.2, as amended.

(650) Religious Organization

means an association of persons that is registered as a charitable organization under Province of Ontario legislation and is organized for the advancement of religion and for the conduct of religious worship, services or rites.

(655) Religious Residence

means **premises** owned or operated by, or on behalf of, a **religious organization**, consisting of **dwelling units** or rooms, used as accommodation for students or clerics, such as a monastery, nunnery or similar residence.

(660) Renewable Energy

means energy obtained from **solar energy**, **wind energy**, or **geo energy**.

(665) Residential Building

includes the following types of **buildings**:

- (i) **apartment building**;
- (ii) **detached house**;
- (iii) **duplex**;
- (iv) **fourplex**;
- (v) **semi-detached house**;
- (vi) **townhouse**; or
- (vii) **triplex**.

(670) Residential Care Home

means supervised living accommodation:

- (i) licensed or funded under Province of Ontario or Government of Canada legislation,
- (ii) for persons requiring semi-independent or group living arrangements by reason of their emotional, mental, social or physical condition or legal status,

- (iii) for more than ten persons, exclusive of staff, and
- (iv) it may include associated support services.

A **residential Care home** does not include supportive housing or social housing.

(675) Respite Care Facility

means **premises** used for the provision of short-term non-emergency services for the supervised care of people of any age, in order to provide relief to their caregivers.

A **respite care facility** may include the provision of services, such as:

- (i) preventive medicine,
- (ii) counselling,
- (iii) social, recreational or educational programs, or
- (iv) day or overnight care.

A **day nursery** is not a **Respite Care Facility**.

(679) Retail Service

means **premises** in which photocopying, printing, postal, or courier services are sold or provided.

(680) Retail Store

means **premises** in which goods or commodities are sold, rented or leased.

(685) Retirement Home

means **premises** used for semi-independent living accommodation for senior citizens primarily in **bed-sitting rooms**, with common dining and lounge areas. A **seniors community house** is not a **Retirement Home**.

(690) Rooming House

means a **building** or part of a **building** where living accommodation is provided in separate habitable rooms, each of which may contain food preparation facilities or sanitary facilities, but not both, and none of which are part of a **dwelling unit**. A **group home**, a **residential care home**, a **nursing home**, a **retirement home**, a **seniors community house**, a **religious residence** or a **student residence** is not a **Rooming House**.

(695) Salvage Yard

means **premises** used as a scrap metal yard or a **vehicle** wrecking yard, and which may include storing, dismantling, crushing, or demolishing **vehicles** or heavy equipment or parts thereof.

(700) Secondary Suite

means an **ancillary dwelling unit**.

(705) Self-Storage Warehouse

means **premises** where individual enclosed areas are made available to the public for keeping or storing goods or commodities.

(710) Semi-Detached House

means a **building** that has only two **dwelling units**, and no **dwelling unit** is entirely or partially above another.

(715) Seniors Community House

means **premises** operated by a **non-profit organization** providing living accommodation for up to ten senior citizens in **bed-sitting rooms**, if there is:

- (i) a maximum of two persons for each **bed-sitting room**,
- (ii) accommodation for one staff person,
- (iii) a common lounge and dining area, and
- (iv) one or two kitchens shared by all residents.

(720) Service Shop

means **premises** used for servicing, repairing or refurbishing goods, other than **vehicles**. A **personal service shop** is not a **Service Shop**.

(725) Shipping Terminal

means **premises** used for transferring goods or commodities between **vehicles** or other transportation modes, and which may include **ancillary** facilities for maintenance, service and fuelling areas. A **waste transfer station** is not a **Shipping Terminal**.

(730) Showroom

means **premises** used for the indoor display and demonstration of goods, commodities, processes and products. A **retail store** is not a **Showroom**.

(735) Side Lot Line

means any **lot line** other than a **front lot line** or a **rear lot line**.

(740) Side Yard

means the area on a **lot** that extends between the **front yard** and the **rear yard** of the **lot**, between the **side lot lines** and the principal building's side **main walls** respectively facing the **side lot lines**.

(745) Side Yard Setback

means a horizontal distance on a **lot** measured at a right angle from the **side lot lines** to the nearest **main wall** of a principal **building** or **structure**.

(750) Single Isolatable System

means a **structure**, tank, container, pipe, or similar device for storing, transferring, processing or making liquid or gaseous substances, that can be sealed from another such device; and without limiting the generality of this definition includes storage tanks separated from each other, storage tanks isolated by shut-off valves, or process system components separated by shut-off valves.

(755) Soft Landscaping

means **landscaping**, and excludes hard-surfaced areas such as decorative stonework, retaining walls, walkways, or other hard-surfaced landscape-architectural elements.

(760) Software Development and Processing

means **premises** used for software development and testing, or for the collection, analysis, processing, storage or **distribution** of electronic data.

(765) Solar Energy

means energy from the sun that is converted to produce electrical or thermal energy.

(770) Sports Place of Assembly

means **premises** used for spectator sporting events, such as a stadium or arena.

(775) Stable

means **premises** used for keeping, boarding, training or breeding horses, mules or other equine animals.

(780) Stacked Parking Space

means a **parking space** that is positioned above or below another **parking space** and is accessed only by means of an elevating device.

(785) Stacking Aisle

means an on-site queuing area for motor **vehicles** that is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

(790) Storey

means the portion of a **building**, other than a **basement**, between any floor level and the floor, ceiling or roof immediately above it.

(795) Street

means a public right-of-way for general traffic circulation.

(800) Street Yard

means any front, rear or **side yard** abutting a **street**.

(805) Structure

means anything that is erected, built or constructed of one or more parts joined together. A **vehicle** is not a **Structure**.

(810) Student Residence

means **premises** owned or operated by, or on behalf of, any **public school, private school, post-secondary school** or educational facility, consisting of **dwelling units, bed-sitting rooms** or rooms, used for student accommodation.

(815) Take-out Eating Establishment

means **premises** where food or beverages are prepared and offered for sale to patrons for consumption off the **premises**.

(820) Tandem Parking Space

means a **parking space** that is only accessed by passing through another **parking space** from a **street, lane, drive aisle** or **driveway**.

(825) Through Lot

means a **lot**, other than a **corner lot**, that abuts:

- (i) more than one **street**; or
- (ii) one **street** in more than one location.

(830) Tourist Home

means an **ancillary** use that:

- (i) is located in a **dwelling unit** which is the principal residence of the **Tourist Home** operator;
- (ii) caters to the needs of the travelling public by the furnishing of sleeping accommodation; and
- (iii) may include the provision of meals.

(835) Townhouse

means a **building** that has three or more **dwelling units**, and no **dwelling unit** is entirely or partially above another.

(838) Transportation Use

means the use of **premises** or facilities for the operation of a mass transit system or a transportation system that is provided by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada.

(840) Triplex

means a **building** that has only three **dwelling units**, with at least one **dwelling unit** entirely or partially above another.

(845) Vehicle

means a wheeled or tracked device, either self-propelled or capable of being pulled by a self-propelled device, for moving persons or objects, or used for construction or agriculture.

(850) Vehicle Dealership

means **premises** used for the sale, rental or lease of **vehicles** displayed or stored on site, excluding construction or agricultural **vehicles**.

(855) Vehicle Depot

means **premises** used for the non-public storing of **vehicles**, excluding construction or agricultural **vehicles**. A **Vehicle Depot** may include **ancillary** dispatching, maintenance, service and fuelling areas for the stored **vehicles**.

(860) Vehicle Fuel Station

means **premises** where **vehicle** fuels are sold to the public.

(865) Vehicle Repair Shop

means **premises** used for any form of **vehicle** service, repair or customizing, and which may include spray painting or repairing body or fender components, but excluding service, repair or customizing of construction or agriculture **vehicles**.

(870) Vehicle Service Shop

means **premises** used for **vehicle** service or customizing, such as mechanical, electrical, glass or upholstery service or installation of parts or accessories, but excluding:

- (i) spray painting or repairing body or fender components, and
- (ii) the service or customizing of construction or agriculture **vehicles**.

(875) Vehicle Washing Establishment

means **premises** used for washing or cleaning **vehicles**.

(880) Veterinary Hospital

means **premises** used by a licensed veterinarian for the medical treatment of animals.

(885) Warehouse

means **premises** used for keeping or storing goods or commodities, to which the general public does not have access, and which may also be used for the **distribution** of the goods or commodities.

(890) Waste Incinerator

means **premises** where waste material is reduced or destroyed by combustion through the application of heat.

(895) Waste Transfer Station

means **premises** used for receiving waste or **recyclable material** and transferring the material to **vehicles** for transport to another location.

(900) Wholesaling Use

means the use of **premises** for the sale of goods or commodities only to retailers or other businesses.

(905) Wind Energy

means energy from the wind that is converted to produce electrical energy.

(910) Zoo

means **premises** used for the care and exhibition of animals and other living things for public viewing, and which may include breeding or research.