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Chapter 1 Administration

1.5 General

1.5.1 Title

(1) Title
This By-law is known as the ‘Zoning By-law for the City of Toronto’.

(2) Internal Reference
Any references to ‘this By-law” means the Zoning By-law for the City of Toronto.

1.5.2 Purpose and Intent of this By-law

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

1.5.3 Licenses, Permits and Other By-laws

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

1.5.4 Defined Terms

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

1.5.5 Zoning By-law Map

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

1.5.6 Former General Zoning By-laws

(1) Former General Zoning By-laws are not Repealed
Nothing in this By-law repeals the provisions of the Former General Zoning By-laws.

(2) Former General Zoning By-laws are Superseded by this By-law
This By-law supersedes the Former General Zoning By-laws where it applies.

1.5.7 Lands Subject to this By-law

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

1.5.8 Items that are part of this By-law

(1) Items that are Part of this By-law
The following are part of this By-law:
(A) Table of Contents;
(B) Maps and Tables; and
(C) A drawing or other visual representation that is labelled as a "Diagram".

1.5.9 Items that are not part of this By-law

(1) Items that are not Part of this By-law
The following are not part of this By-law:
(A) Headings and titles in the body of this By-law are included for convenience only and reference purposes;
(B) References within square brackets are included for convenience only and reference purposes;
(C) A drawing or other visual representation that is labelled as an “Illustration” is included for convenience only and reference purposes; and
(D) 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 included for convenience only and references purposes.

1.5.10 Severability of this By-law

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

1.20 Interpretation

1.20.1 By-law Structure

(1) By-law Structure and Numbering
This By-law is divided into parts using a numeric decimal system as follows:
20. Chapter
20.10 Section
20.10.30 Article
20.10.30.15 Clause

(2) Numbering of Regulations
Articles or Clauses may be divided further into bracketed divisions known as Regulations having the following structure:

(25) [bracketed numeral]
(A) [bracketed upper-case letter]
   (i) [bracketed lower-case Roman numeral]
      (a) [bracketed lower-case letter]
(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 regulations. 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 -Text

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

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

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

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

(3) Numeric Reference to a Regulation

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

(4) References in Square Brackets

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

(A) References to city codes in square brackets, as follows:
   (i) EY - for the former City of East York;
   (ii) ET - for the former City of Etobicoke;
   (iii) NY - for the former City of North York;
   (iv) SC - for the former City of Scarborough;
   (v) YK - for the former City of York;
   (vi) TO - for the former City of Toronto; and
   (vii) TOR - for the amalgamated City of Toronto; and

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

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

and

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

(5) Reference to Planning Act

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

(6) Word Usage

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

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

(7) Conjunctions and Disjunctions

Unless the context indicates otherwise:

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

(B) "or" indicates that the connected items or regulations may apply singularly, alternatively or in combination.
(8) Examples
If "such as" appears in this By-law, followed by examples intended for clarification, the application of "such as" to a definition or regulation is not limited to those examples.

(9) Zone Categories and Zones
Chapter 10 to 100 comprise different zone categories that include one or more zones with the same primary land use permissions.

(10) General Rules for Each Zone
General rules that apply to all zones within a zone category may be superseded by more specific regulations in the zone sections.

(11) Reference to a Zone Category
A reference made to a zone category, includes all zones within that zone category.

(12) Reference to a Zone
A zone may be referred to by its zone name or its zone symbol.

(13) Interpretation of Permitted Uses
A use is permitted in a zone if it is:
(A) included on the list of permitted uses for that zone; or
(B) included on the list permitted uses with conditions.

(14) When Uses Are Not listed
If a use is not listed as permitted, it is not allowed.

(15) Interpretation of Uses
A listed or defined permitted use may not be interpreted as including any other use.

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

(1) Zone Symbols and Boundaries
All lands regulated by this By-law are delineated by a zone boundary line on the Zoning By-law Map and identified by a zone symbol as one of the zones listed in Section 1.40.

(2) Zone Label
The zone symbol on the Zoning By-law Map may be followed by components representing regulatory standards outlined in the 'Interpretation' Section of each Chapter. The zone symbol and components are collectively referred to as the zone label.

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

(4) Holding Symbol (H)
If an 'H' appears in round brackets ( ) in front of a zone symbol on the Zoning Bylaw Map, the use or intensity of the development permitted by the zone symbol and zone label for that area is restricted to those permitted in the exception in the zone label.

(5) Determination of Zone Boundaries
When a zone boundary is located in a public right of way, it extends to the centre line of the public right of way.

(6) Lots in More than One Zone
If a lot is in more than one zone, the regulations for each zone apply to the portion of the lot within the respective zone.

1.20.4 How to Read this By-law - Overlay Maps

(1) Purpose of an Overlay Map
An Overlay Map may alter, add or remove some of the regulations affecting the use of land with an area depicted on the Overlay Map.

(2) Overlay Maps
The following are the overlay maps in this By-law:
(A) Policy Areas Overlay Map, found in Section 995.10;
(B) Height Overlay Map, found in Section 995.20;
(C) Lot Coverage Overlay Map, found in Section 995.30; and
(D) Rooming House Overlay Map, found in Section 995.40.

1.40 Zones and Zone Categories

1.40.10 Residential Zone Category

(1) Residential Zones
The zones in the Residential Zone category are:

<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>R</td>
</tr>
<tr>
<td>Residential Detached</td>
<td>RD</td>
</tr>
<tr>
<td>Residential Semi-Detached</td>
<td>RS</td>
</tr>
<tr>
<td>Residential Townhouse</td>
<td>RT</td>
</tr>
<tr>
<td>Residential Multiple</td>
<td>RM</td>
</tr>
</tbody>
</table>

(2) Purpose of the Residential Zone Category
The Residential Zone category permits uses associated with the Neighbourhoods designation in the Official Plan. This Zone category may include a full range of low rise \textit{residential building} types contained within different zones. The zones within this category also contain permissions for \textit{parks} and some local institutions.

(3) Purpose of the Zones in the Residential Zone Category
The purpose of each zone in the Residential Zone category is as follows:

(A) Residential (R)
The purpose of the R Zone is to provide areas for a variety of \textit{residential building} types, including detached houses, semi-detached houses, townhouses, duplexes, triplexes, fourplexes and apartment buildings.

(B) Residential Detached (RD)
The purpose of the RD Zone is to provide areas for detached houses.

(C) Residential Semi-Detached (RS)
The purpose of the RS Zone is to provide areas for detached houses and semi-detached houses.

(D) Residential Townhouse (RT)
The purpose of the RT Zone is to provide areas for detached houses, semi-detached houses and townhouses.

(E) Residential Multiple (RM)
The purpose of the RM Zone is to provide areas for detached houses, semi-detached houses, duplexes, triplexes, fourplexes, and low-rise apartment buildings.

1.40.15 Residential Apartment Zone Category

(1) Residential Apartment Zones
The zones in the Residential Apartment Zone category are:

<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
</table>
Residential Apartment RA
Residential Apartment Commercial RAC

(2) Purpose of the Residential Apartment Zone Category
The Residential Apartment Zone category permits uses associated with the Apartment Neighbourhoods designation in the Official Plan. This zone category may contain apartment buildings, parks, local institutions and some small scale retail uses.

(3) Purpose of the Zones in the Residential Apartment Zone Category
The purpose of each zone in the Residential Apartment Zone category is as follows:
(A) Residential Apartment (RA)
The purpose of the RA Zone is to provide areas for apartment buildings.
(B) Residential Apartment Commercial (RAC)
The purpose of the RAC Zone is to provide for apartment buildings with supportive commercial uses.

1.40.30 Commercial Zone Category

(1) Commercial Zones
The zones in the Commercial Zone category are:

<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Local</td>
<td>CL</td>
</tr>
</tbody>
</table>

(2) Purpose of the Commercial Zone Category
The Commercial Zone category permits parks, recreational uses, commercial uses and institutional uses associated with the Neighbourhoods and Apartment Neighbourhoods designations in the Official Plan.

(3) Purpose of the Zones in the Commercial Zone Category
The purpose of each zone in the Commercial Zone category is as follows:
(A) Commercial Local (CL)
The purpose of the CL Zone is to provide areas for small-scale commercial uses to serve the needs of the local residential area.

1.40.40 Commercial Residential Zone Category

(1) Commercial Residential Zones
The zones in the Commercial Residential Zone category are:

<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Residential</td>
<td>CR</td>
</tr>
</tbody>
</table>

(2) Purpose of the Commercial Residential Zone Category
The Commercial Residential Zone category regulates uses associated with the Mixed Use designation in the Official Plan. This zone category may contain a range of commercial, residential and institutional uses, as well as parks.

(3) Purpose of the Zones in the Commercial Residential Zone Category
The purpose of each zone in the Commercial Residential Zone category is as follows:
(A) Commercial Residential (CR)
The purpose of the CR Zone is to provide areas for a broad range of uses, including retail, service commercial, office and residential uses, often in mixed use buildings. The CR Zone has development standard sets which set out specific requirements, such as, maximum building height, building setbacks, and angular planes, based on the different physical contexts found in the downtown, main streets, and inner suburban areas.

1.40.50 Commercial Residential Employment Zone Category
(1) **Commercial Residential Employment Zones**
   
The zones in the Commercial Residential Employment Zone category are:
   
<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial Residential Employment</td>
<td>CRE</td>
</tr>
</tbody>
</table>

(2) **Purpose of the Commercial Residential Employment Zone Category**

The Commercial Residential Employment Zone category permits uses associated with the Regeneration Area designation in the Official Plan. This zone category may contain a mix of commercial, residential, light industrial and institutional uses, as well as parks.

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

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

   (A) Commercial Residential Employment (CRE)
   
   The purpose of the CRE Zone is to provide areas for a range of retail, service commercial, office, residential and limited industrial uses in single and multiple use buildings.

### 1.40.60 Employment Industrial Zone Category

(1) **Employment Industrial Zones**

The zones in the Employment Industrial Zone category are:

<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employment Light Industrial</td>
<td>EL</td>
</tr>
<tr>
<td>Employment Industrial</td>
<td>E</td>
</tr>
<tr>
<td>Employment Heavy Industrial</td>
<td>EH</td>
</tr>
<tr>
<td>Employment Industrial - Office</td>
<td>EO</td>
</tr>
</tbody>
</table>

(2) **Purpose of the Employment Industrial Zone Category**

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

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

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

   (A) Employment Light Industrial (EL)
   
   The purpose of the EL Zone is to provide areas for light manufacturing, industrial and other employment land uses that co-exist in relatively close proximity to sensitive land uses, such as residential and open space uses.

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

   (C) Employment Heavy Industrial (EH)
   
   The purpose of the EH Zone is to provide areas for heavy manufacturing, industrial and other employment land uses that may have impacts on adjacent lands.

   (D) Employment Industrial - Office (EO)
   
   The purpose of the EO Zone is to provide areas for a mix of light manufacturing and office uses that co-exist with each other in a 'business park' setting.

### 1.40.80 Institutional Zone Category

(1) **Institutional Zones**

The zones in the Institutional Zone category are:

<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
</table>
Institutional I
Institutional Hospital IH
Institutional Education IE
Institutional School IS
Institutional Place of Worship IPW

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

(3) The Purpose of the Zones in the Institutional Zone Category
The purpose of each zone in the Institutional Zone category is as follows:

(A) Institutional (I)
The purpose of the Institutional General 'I' Zone is to provide areas for a variety institutional uses.

(B) Institutional Hospital (IH)
The purpose of the IH Zone is to provide areas for hospitals and associated uses.

(C) Institutional Education (IE)
The purpose of this IE Zone is to provide areas for post-secondary schools in a campus setting and associated uses.

(D) Institutional School (IS)
The purpose of this IS Zone is to provide areas for public schools and private schools and associated uses.

(E) Institutional Place of Worship (IPW)
The purpose of this IPW Zone is to provide areas for places of worship and associated uses.

1.40.90 Open Space Zone Category

(1) Open Space Zones
The zones in the Open Space Zone category are:

<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open Space</td>
<td>O</td>
</tr>
<tr>
<td>Open Space Natural</td>
<td>ON</td>
</tr>
<tr>
<td>Open Space Recreation</td>
<td>OR</td>
</tr>
<tr>
<td>Open Space Golf Course</td>
<td>OG</td>
</tr>
<tr>
<td>Open Space Marina</td>
<td>OM</td>
</tr>
<tr>
<td>Open Space Cemetery</td>
<td>OC</td>
</tr>
</tbody>
</table>

(2) Purpose of the Open Space Zone Category
The Open Space Zone category permits uses associated with the Parks and Open Space Areas designation in the Official Plan. This zone category may include recreational, cultural, educational uses and the conservation of lands. Some zones include permissions for golf courses, marinas and cemeteries, together with limited retail and commercial service uses.

(3) The Purpose of the Zones in the Open Space Zone Category
The purpose of each zone in the Open Space Zone category is as follows:

(A) Open Space (O)
The purpose of the O Zone is to provide areas for parks, including gardens and small play areas, with no buildings permitted.

(B) Open Space Natural (ON)
The purpose of the ON Zone is to provide areas for the conservation of lands such as ravines and waterways that are part of the natural system.

(C) Open Space Recreation (OR)
The purpose of the OR Zone is to provide areas for parks, including recreation uses and
facilities, such as sports fields, arenas and community centres.

(D) Open Space Golf Course (OG)
The purpose of the OG Zone is to provide areas for golf courses, including clubhouses and associated services, recreation uses and facilities.

(E) Open Space Marina (OM)
The purpose of the OM Zone is to provide areas for marinas, including clubhouses and associated services, recreation uses and facilities.

(D) Open Space Cemetery (OC)
The purpose of the OC Zone is to provide areas for cemeteries, including associated services and facilities.

1.40.100 Utility and Transportation Zone Category

(1) Utility and Transportation Zones
The zones in the Utility and Transportation Zone category are:

<table>
<thead>
<tr>
<th>ZONE NAME</th>
<th>ZONE SYMBOL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Utility and Transportation</td>
<td>UT</td>
</tr>
</tbody>
</table>

(2) Purpose of the Utility and Transportation Zone Category
The Utilities and Transportation Zone category permits uses associated with the Utility Corridors designation in the Official Plan. This zone category may include public utilities, transportation and recreation uses.

(3) Purpose of the Zones in the Utilities and Transportation Zone Category
The purpose of each zone in the Utilities and Transportation Zone category is as follows:

(A) Utility and Transportation Zone (UT)
The purpose of the Utility and Transportation Zone is to provide areas for public utilities, transportation uses, horticultural and outdoor recreation uses.

Chapter 2 Compliance with this By-law

2.1 Matters to Comply

2.1.1 General

(1) Uses to Conform with this By-law
No person may use or permit the use, of any land, building or structure except in conformity with this By-law.

(2) Buildings and Structures to Comply with this By-law
No person may use, erect or alter a building or structure that does not comply with this By-law.

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

(4) Reduction of Lot Area - Conveyance to a Public Authority
If a conveyance or dedication required by a federal, provincial or municipal government, or an expropriation by an expropriating authority:

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

(i) creates a lot frontage, lot depth and lot area, that is at least 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
(ii) creates a building setback that is at least 75% of the minimum building setback required by this By-law for the zone in which the lot is located; and

(B) reduces the maximum number of dwelling units or the maximum gross floor area permitted on a lot, then the maximum number of dwelling units or the maximum gross floor area permitted on the lot, is the maximum number of dwelling units or the maximum gross floor area that was permitted on the lot on the day before the conveyance, dedication or expropriation; and

(C) causes existing required parking spaces on a lot to be removed, the required parking spaces that remain are deemed to satisfy the parking space requirements of this By-law for the building and uses that lawfully existed on the lot on the day before the conveyance, dedication or expropriation.

2.1.2 Variances

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

(2) Continuation of Finally Approved Variances
After the expiration of the exemption period set out in Clause 2.1.3.7, any minor variances finally approved under the Former General Zoning By-laws may be relied upon, if the regulatory standard respecting which the minor variance was given is the same or more permissive in this By-law than it was in the Former General Zoning By-law.

(3) Minor Variance - Application of Former General Zoning By-laws
The Former General Zoning By-laws, including the definitions, apply to assist in the interpretation of any minor variance referred to in regulation 2.1.2(1) in the context of this by-law.

2.1.3 Transition Clauses

2.1.3.1 Transition Clause General

(1) Transition Clause General
Except as provided in these transition Clauses 2.1.3.1 to 2.1.3.7 the regulations of this By-law otherwise apply.

2.1.3.2 Transition: Building Permit Applications

(1) Building Permit Applications
Nothing in this By-law will prevent the erection or use of a building or structure for which an application for a building permit was filed on or prior to the date of passage of this By-law, if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of the applicable Former General Zoning By-law as it read on the date of passage of this By-law.

(2) Building Permit Applications
For the purposes of regulation 2.1.3.2(1), an "application for a building permit" means an application for a building permit that satisfies the requirements set out in Article I Building Permits of Chapter 363 Building Construction and Demolition of the City of Toronto Municipal Code.

2.1.3.3 Transition: Zoning Certificate Applications

(1) Zoning Certificate Applications
Nothing in this By-law will prevent the erection or use of a building or structure, in the circumstances set out in regulation 2.1.3.3(2), for a project for which a request for a zoning certificate was filed on or prior to the date of passage of this By-law.
(2) Zoning Certificate Applications

After a zoning certificate has been issued for a project that qualifies under regulation 2.1.3.3(1), a building permit for that project may be issued if:

(A) the building permit plans for the project are substantially in compliance with the plans approved with the zoning certificate referred to in regulation 2.1.3.3(1) and issued pursuant to Section 363-10.1 of Chapter 363 of the City of Toronto Municipal Code; and

(B) the project in question complies, or the building permit application for the project is amended to comply, with the provisions of the applicable Former General Zoning By-law as it read on [the date of passage of this By-law] and all minor variances finally approved.

(3) Zoning Certificate Applications

For the purposes of regulation 2.1.3.3(1), a "request for zoning certificate" means a request for a zoning certificate that satisfies the requirements set out in Article I Building Permits, of Chapter 363 Building Construction and Demolition of the City of Toronto Municipal Code.

2.1.3.4 Transition: Minor Variance Applications

(1) Minor Variance Applications

Nothing in this By-law will prevent the erection or use of a building or structure, in the circumstances set out in regulation 2.1.3.4(3)(A) and (B), for which:

(A) a complete application for a minor variance under Section 45 of the Planning Act was filed on or prior to the date of passage of this By-law; or

(B) a complete application for a minor variance under Section 45 of the Planning Act was filed after [insert the date of passage of this By-law] based on a building permit application or a zoning certificate referred to in regulation 2.1.3.2(1) or 2.1.3.3(1).

(2) Minor Variance Applications

For the purposes of regulation 2.1.3.4(1), a "complete application for a minor variance" means an application which satisfies the requirements of Section 2 of Ontario Regulation 200/96 (Minor Variance Applications) under the Planning Act.

(3) Minor Variance Applications

Where a project qualifies under regulation 2.1.3.4(1):

(A) the minor variance may be granted in compliance with Section 45 of the Planning Act in the context of the applicable Former General Zoning By-law as it read on [insert the date of passage of this By-law]; and

(B) a building permit for that project may be issued after final approval is received for the minor variance if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of the applicable Former General Zoning By-law as it read on the date of passage of this By-law and all minor variances finally approved.

2.1.3.5 Transition: Site Plan Approval Applications

(1) Site Plan Approval Applications

Nothing in this By-law will prevent the erection or use of a building or structure for a project for which a complete application for site plan approval was filed on or prior to the date of passage of this By-law, if the project in question complies with the provisions of the applicable Former General Zoning By-law as it read on the date of passage of this By-law.

(2) Site Plan Approval Applications

For the purposes of regulation 2.1.3.5(1), a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2.

(3) Site Plan Approval Applications

Where a project qualifies under regulation 2.1.3.5(1):

(A) the Notice of Approval Conditions and final site plan approval may be granted if the project
complies with the provisions of the applicable Former General Zoning By-law, as it read on [insert the date of passage of this By-law], all requirements of the Planning Act, and Section 114 of the City of Toronto Act, 2006, S.O. 2006, c.11 Schedule. A.

(B) after a Notice of Approval Conditions or final site plan approval is received for a project that qualifies under regulation 2.1.3.5(1), a building permit for that project may be issued if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of the applicable Former General Zoning By-law as it read on the date of passage of this By-law, the site plan approval, and all minor variances finally approved.

2.1.3.6 Transition: Other Approvals and Agreements

(1) Other Approvals and Agreements

Nothing in this By-law will prevent the erection or use of a building or structure for which a complete application for:

(A) a consent to sever;
(B) an approval of draft plan of subdivision;
(C) a plan of condominium approval;
(D) a payment in lieu of parking agreement pursuant to Section 40 of the Planning Act; or
(E) a part lot control exemption approval pursuant to Section 50 of the Planning Act was filed on or prior to the date of passage of this By-law in the circumstances set out in regulation 2.1.3.5(3).

(2) Other Approvals and Agreements

For the purposes of regulation 2.1.3.6(1)(A), (B) and (C), a “complete application” means an application which satisfies the requirements set out in the City of Toronto Official Plan Policy 5.5.2.

(3) Other Approvals and Agreements

Where a project qualifies under regulation 2.1.3.6(1):

(A) the consent to sever, the approval of the draft plan of subdivision, the plan of condominium approval and the part lot control exemption approval may be granted, and the payment in lieu of parking agreement may be entered into, if the project otherwise complies with the provisions of the applicable Former General Zoning By-law as it read on [insert the date of passage of this By-law] and all requirements of the Planning Act; and

(B) a building permit for that project may be issued, based on an application for a building permit filed after [the date of passage of this By-law], if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of the applicable Former General Zoning By-law as it read on [insert the date of passage of this By-law] and all minor variances finally approved.

2.1.3.7 Transition Clause Duration

(1) Transition Clause Application

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

(2) Transition Clause Duration

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

2.1.3.8 Transition Clause Repeal

(1) Repeal

Clauses 2.1.3.1 to 2.1.3.6 are repealed three years from the date of enactment of this By-law.
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
If a lot is used for more than one permitted use, the regulations applicable to each permitted use on the lot are applied as if each permitted use exists and operates independently of the other.

(3) Specific Uses
If the zone regulation identifies a specific use as being a permitted 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.

(4) Substantial Demolition
A building is substantially demolished if 50% or more of the exterior main walls at or above the level of the first floor have been removed.

5.10.1.30 Restrictions

(1) Use of Unzoned lands
Lands that are shown on the Zoning By-law Map in Section 990.10, as lands to which this By-law applies, but are not identified on the Zoning By-law Map as being in a zone may only be used for open space and may not contain a building or structure.

(2) Habitation in a Vehicle
A vehicle may not be used for living accommodation.

(3) Dwelling Unit Below Grade
A dwelling unit may not be located entirely below:
   (A) established grade in the Residential Zone category and Residential Apartment Zone category; and
   (B) average grade in any other zone that permits a dwelling unit.

5.10.20 Permitted Uses

5.10.20.1 General

(1) City Services
The following are permitted in any zone, if owned or operated by or for, or under the authority of, the City of Toronto or any agency of the City of Toronto:
   (A) facilities for public or emergency services, other than municipal shelters;
   (B) municipally owned public parking; and
   (C) on-location filming.

(2) Ancillary Uses
Uses that are ancillary to a permitted use on the same lot, are permitted if they comply with the regulations of the zone in which the lot is located.
5.10.30 Lot Requirements

5.10.30.1 General

(1) Availability of Services
No land may be used and no building or structure may be erected or used on the land unless:

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

(2) Fronting on a Street
Except for a Parcel of Tied Land, a building or structure may not be erected or used, on any lot that does not abut a street. For the purpose of this regulation, a “Parcel of Tied Land” has the meaning given to it in section 24 of Ontario Regulation 49/01 made under the Condominium Act, 1998, S.O. 1998,c.19, as amended.

This regulation does not apply to lot separated from a street by a 0.3 metre reserve and where access to the lot is available from a lane.

(3) Lot with Reserve Along Street - No Access
If a lot is separated from a street by a 0.3 metre reserve and the lot does not abut another street, the lot line abutting the 0.3 metre reserve is the front lot line for the purpose of establishing lot orientation.

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

5.10.30.20 Frontage

(1) Designated Front Lot Line for Corner Lots
The lot line or contiguous lot lines separating a corner lot from one street or one street segment may be selected as the front lot line, and despite the definition of front lot line, the lot line or contiguous lot lines separating the corner lot from another street or street segment is not a front lot line.

(2) Designated Front Lot Line for Through Lots
On a through lot, a lot line abutting a street may be selected as the front lot line if that lot line is not separated from the street by a 0.3 metre reserve.

5.10.30.40 Coverage

(1) Ramp or Elevating Device Providing Barrier Free Access
An access ramp or elevating device providing barrier-free access to a building or structure is not included in the calculation of lot coverage.

5.10.40 Principal Building Requirements

5.10.40.1 General

(1) Non-Complying Building or Structure Damaged by Acts Beyond Owner’s Control
If a lawfully existing building or structure does not comply with the building regulations for the zone in which it is located and it has been damaged or destroyed as a result of matters beyond the control of the owner, it may be reconstructed or repaired if there is no increase in the non-compliance.

(2) Non-Complying Building or Structure - Restoration to a Safe Condition
If a lawfully existing building or structure does not comply with the building regulations for the zone in which it is located and it has been determined to be in an unsafe condition by the City of Toronto, the unsafe portion of the building or structure may be repaired or restored to a safe condition if 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 unless it is permitted by a Section 45 Planning Act minor variance.

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

On lands under the jurisdiction of the Toronto and Region Conservation Authority pursuant to the Conservation Authorities Act, R.S.O 1990 c. C.27, as amended, other than in the Open Space Zone category, if the Toronto and Region Conservation Authority determines that a shoreline hazard limit or a stable top-of-bank crosses a lot, no building or structure may be located on the portion of the lot below that shoreline hazard limit or stable top-of-bank, unless it is:

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

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

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

5.10.40.10 Height

(1) Height of Buildings and Structures - Flight Path

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

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

5.10.40.40 Floor Area

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

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

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

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

5.10.40.70 Setbacks

(1) Compliance with Required Building Setback

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

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

Building setback requirements apply to all parts of a building or structure above and below grade, excluding footings.

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

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

(4) Minimum Building Setbacks for a Use Not Located Within a Building or Structure
A use that is not located inside a building or structure must comply with the minimum required building setbacks for a building on the lot, unless:

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

(5) Rear Yard Building 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 the Shoreline Hazard Limit or Stable Top-of-Bank

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

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

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

If a lawfully existing building or structure is located closer to a shoreline hazard limit or stable top-of-bank than the building setback required by this By-law, that lawfully existing building or structure is permitted in that location, and regulation 5.10.40.70 (7) does not apply to prevent an alteration to that lawfully existing building or structure, or its replacement on the same lot, if the alteration or replacement is no closer to the shoreline hazard limit or stable top-of-bank than the existing building setback at every point along the main walls of the lawfully existing building or structure.

5.10.40.80 Separation

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

On lands under the jurisdiction of the Toronto and Region Conservation Authority pursuant to the Conservation Authorities Act, R.S.O 1990 c. C.27, as amended, other than in the Open Space Zone category, a building or structure must be no closer than 10 metres from a shoreline hazard limit or a stable top-of-bank, as determined by the Toronto and Region Conservation Authority, unless it is:

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

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

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

5.10.50 Yards

5.10.50.10 Landscaping

(1) Ramp or Elevating Device Providing Barrier Free Access

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

5.10.60 Ancillary Buildings and Structures
5.10.60.1 General

(1) Satellite Dish Not Mounted on a Building

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

(A) may not be located in a front yard or a side yard that abuts a street;
(B) 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 it is located 3.0 metres or more from the building, half the height of the structure; or
   (iii) if it is located less than 3.0 metres from the building, the required building setback; and
(C) if located on a lot that is adjacent to a lot in a Residential Zone category, the maximum height of the satellite dish is 5.0 metres, measured from the ground at its base to the top of its uppermost element.

(2) Satellite Dish on the Roof of a Building

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

(3) Satellite Dish on a Building but not the Roof

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

(4) Ancillary Buildings and Structures

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

5.10.75 Energy Regulations

5.10.75.1 General

(1) Relation of By-law to Green Energy Act

Despite any of the provisions of this By-law, the regulations in this By-law do not apply to:

(A) any renewable energy undertaking, as defined in the Planning Act, respecting which the Planning Act stipulates that a zoning by-law does not apply;
(B) any renewable energy project, renewable energy source or renewable energy testing project, as defined in the Green Energy Act, 2009, S.O. 2009, Chapter 12 Schedule A, which is designated by regulation made under the Green Energy Act and for which the Green Energy Act stipulates that restrictions established by a municipal by-law are inoperative; and
(C) any goods, services and technologies designated by regulation made under the Green Energy Act, 2009, S.O. 2009, Chapter 12 Schedule A, and for which the Green Energy Act stipulates that restrictions established by a municipal by-law are inoperative.

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

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

(A) the distribution of the renewable energy and cogeneration energy produced complies with all municipal, provincial and federal, by-laws, statutes and regulations; and
(B) the distribution of renewable energy and cogeneration energy is carried out in compliance with all other regulations of this By-law.

5.10.175 Fence

5.10.175.1 General
(1) Fences
A fence required by this By-law must comply with the regulations of Chapter 447, Fences, of the City of Toronto Municipal Code, as amended, and any other Code or by-law provision pertaining to fences.

(2) Fences - Exemption from Building Setback Requirements
A fence is not required to comply with the minimum building setback 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 all lands, uses, buildings and structures in the Residential Zone category.

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

(3) Interpretation of the Zone Label
In the Residential Zone category, the letters following the zone symbol in the zone label have the following meaning:

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

10.5.20 Permitted Uses

10.5.20.1 General

(1) Existing School
A lawfully existing public school or private school on a lot in the Residential Zone category is permitted on that lot, and:

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

(2) Existing Place of Worship
A lawfully existing place of worship on a lot in the Residential Zone category is permitted on that lot, and:

(A) any expansion or addition to the lawfully existing place of worship building must comply with
the requirements of Section 150.50 and the requirements for the zone in which the lot is located; and

(B) the lawfully existing place of worship may be replaced with a new place of worship building that complies with the requirements of Section 150.50 and the requirements for the zone in which the lot is located.

10.5.30 Lot Requirements

10.5.30.1 General

(1) Specific Lot Requirements
Specific lot requirements are stated in each zone in the Residential Zone category.

10.5.30.11 Lot Area Exemptions

(1) Permitted Lot Area for Lawfully Existing Lots
In the Residential Zone category, if the lawful lot area of a lawfully existing lot is less than the minimum lot area required by this By-law, that lawful lot area is the permitted minimum lot area required for that lawfully existing lot.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 10.5.30.11 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Vacant Lawfully Existing Lot
If a lot referred to in regulation 10.5.30.11 (1) is vacant, only a detached house may be constructed on that lot, and the detached house must comply with all other regulations of this By-law or be authorized by a Section 45 Planning Act minor variance.

10.5.30.20 Lot Frontage

(1) Designated Front Lot Line for Through Lots
Despite regulation 5.10.30.20 (2), on a through lot in the Residential Zone category, any lot line separating the lot from a street may be selected as the front lot line, if:

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

(2) Minimum Front Lot Line for a Residential Building
In the Residential Zone category, a residential building may not be erected on a lot that does not have a front lot line of at least 3.5 metres, unless the lot:

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

10.5.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots
In the Residential Zone category, if the lawful lot frontage of a lawfully existing lot is less than the minimum lot frontage required by this By-law, that lawful lot frontage is the minimum lot frontage required for that lawfully existing lot.

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

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

(A) the lot frontage is at least 6.0 metres; and

(B) the detached house complies with all other requirements in this By-law or is authorized by a Section 45 Planning Act minor variance.

10.5.30.40 Lot Coverage

(1) Lot Coverage Exclusion for Permitted Encroachments
In the Residential Zone category, any part of a building or structure permitted to encroach into a required building setback in regulation 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 building setback is not included in the calculation of lot coverage, if:

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

(B) the lot area covered by these structures is not more than 5% of the lot area.

10.5.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings
In the Residential Zone category, if the area of a lot lawfully covered by lawfully existing buildings or structures is greater than the maximum lot coverage permitted by this By-law, the lawful percentage of the lot covered by those lawfully existing buildings or structures is the maximum permitted lot coverage for those lawfully existing buildings or structures on that lot.

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

10.5.40 Principal Building Requirements

10.5.40.1 General

(1) Application of this Article
The regulations in Article 10.5.40 apply to buildings or structures in the Residential Zone category, other than ancillary buildings or structures which are subject to Article 10.5.60.

(2) Specific Building Requirements
Specific requirements for buildings and structures are stated in each zone in the Residential Zone category.

10.5.40.10 Height

(1) Determining the Height of a Building
In the Residential Zone category, the height of a building is the distance between the established grade and the elevation of the highest point of the building.

(2) Height -- for Specified Structures
In the Residential Zone category, the following structures, located on the roof of a building may exceed the permitted maximum height for that building by 1.5 metres:

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

(3) Height -- for Functional Operation of a Building
In the Residential Zone category, the following equipment and structures located on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres, subject to complying with regulation 10.5.40.10 (4):

(A) equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment;
(B) structures or parts of the building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
(C) structures that enclose, screen or cover the elements listed in (A) and (B) above, if the building has a height greater than 15.0 metres.

(4) Height -- Horizontal Limits on Elements for Functional Operation of a Building
In the Residential Zone category, equipment, structures or parts of a building that exceed the maximum building height, as permitted by regulation 10.5.40.10 (3), must comply with the following:

(A) the total area may cover no more than 30% of the area of the roof, measured horizontally; and
(B) if located within 6.0 metres of a lot line abutting a street, their total horizontal dimension, measured parallel to the street, may not exceed 20% of the width of the building's main walls facing that street.

10.5.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings
In the Residential Zone category, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height in this By-law, that lawful height is the permitted maximum height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings - Height
Any addition or extension to a lawfully existing building or structure referred to in regulation 10.5.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Alterations to the Roof of Lawfully Existing Buildings
Any alteration to the roof of a lawfully existing building referred to in regulation 10.5.40.11 (1) may be up to the permitted maximum height in regulation 10.5.40.11 (1).

(4) Height of Main Walls for Lawfully Existing Buildings
In the Residential Zone category, if the lawful height of the exterior portion of the main walls of a lawfully existing building or structure is greater than permitted by this By-law, for either

(A) the front and rear main walls, or
(B) the side main walls,
that lawful height is the permitted maximum height for the exterior portion of the respective pair of main walls.

(5) Additions to Lawfully Existing Buildings - Height of Main Walls
Any new exterior main wall of an addition or extension to a lawfully existing building or structure referred to in regulation 10.5.40.11 (4) is subject to the main wall heights established in regulation 10.5.40.11 (4).
(6) Height of First Floor Above Established Grade for Lawfully Existing Buildings

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

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

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

10.5.40.20 Building Length

(1) Portion of Building to which Building Length Applies

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

(2) Exclusion from Building Length

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

10.5.40.21 Building Length Exemptions

(1) Permitted Building Length for Lawfully Existing Buildings

In the Residential Zone category, if the lawful building length of a lawfully existing building or structure is greater than the maximum building length permitted by this By-law, that lawful building length is the permitted maximum building length for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings

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

10.5.40.30 Building Depth

(1) Portion of Building to which Building Depth Applies

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

(2) Exclusion from Building Depth

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

10.5.40.31 Building Depth Exemptions

(1) Permitted Building Depth for Lawfully Existing Buildings

In the Residential Zone category, if the lawful building depth of a lawfully existing building or structure is greater than the maximum building depth permitted by this By-law, that lawful building depth is the permitted maximum building depth for that lawfully existing building or structure on that lot.

(2) Additions to Lawfully Existing Buildings

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

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

In the Residential Zone category, the **gross floor area** of a **residential building**, other than an **apartment building**, includes floor area in an attic above the **main walls** of the **building**, if it:

(A) is accessed by means of a permanent stair case or mechanical elevating device; or

(B) has a vertical clearance of more than 1.4 metres between the ceiling joists below and the roof rafters, if at least 80% of such area has a vertical clearance of more than 2.0 metres and an area of at least 10 square metres.

(2) **Exclusion of Certain Floor Area in an Attic**

In the case of a floor area which meets the conditions in regulation 10.5.40.40 (1), if this area or a portion of this area is used for housing or maintaining mechanical equipment for the **building** and does not exceed 20 square metres, the floor area or portion thereof is not included in **gross floor area** of the **building**.

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

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

(A) the floor area of the **basement**, unless the elevation of the **established grade** is higher than the average elevation of grade along the rear **main wall** of the **residential building** by 2.5 metres or more, in which case the **gross floor area** of the **building** may be reduced by 50% of the floor area of the **basement**;

(B) the area of required **parking spaces**; and

(C) in addition to (B), above, for a **detached house** on a **lot** with a **lot frontage** of more than 12 metres, the **gross floor area** of the **detached house** may be reduced by the area used for one more **parking spaces**.

(4) **Gross Floor Area Calculations for an Apartment Building**

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

(A) parking, loading, and bicycle parking below **established grade**;

(B) loading and bicycle parking at **established grade**;

(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;

(D) shower facilities required by this By-law for required **bicycle parking spaces**;

(E) indoor **amenity space** required by this By-law;

(F) elevator shafts;

(G) garbage and **recyclable material** shafts;

(H) mechanical penthouse; and

(I) exit stairwells in the **building**.

(5) **Floor Space Index Calculation**

In the Residential Zone category, the floor space index:

(A) is the result of the **gross floor area** of a **building** divided by the area of the **lot**;

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

(C) for an **apartment building**, is the result of the **gross floor area**, minus the areas of an **apartment building** listed in regulation 10.5.40.40 (4), divided by the area of the **lot**.

**10.5.40.41 Floor Area Exemptions**

(1) **Permitted Floor Space Index for Lawfully Existing Buildings**

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

10.5.40.50 Decks, Platforms and Amenities

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

(2) Platforms in Relation to Building Setbacks
In the Residential Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3 metres of a building, must comply with the building setback requirements for the zone.

(3) Platforms at or Above the Second Storey of a Residential Building Other than an Apartment Building
In the Residential Zone category, the level of the floor of a platform, such as a deck or balcony, located at or above the second storey of a residential building other than an apartment building, must be no higher than the level of the floor of the storey from which it gains access.

10.5.40.60 Permitted Encroachments

(1) Platforms
Despite regulation 10.5.40.50 (2), in the Residential Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or less than 0.3 metres from a building, may encroach into a required building setback for that building as follows:

(A) in a front yard, a platform with a floor no higher than the first floor of the building above established grade,
   (i) may encroach into the required front yard setback the lesser of 2.5 metres or 50% of the required front yard setback, if it is no closer to a side lot line than the required side yard setback, and
   (ii) there may be enclosed space below this platform;

(B) in a front yard, a platform with a floor higher than the first floor of the building above established grade may encroach into the required front yard setback the lesser of 1.5 metres or 50% of the required front yard setback, if it is no closer to a side lot line than the required side yard setback;

(C) in a rear yard, a platform with a floor no higher than the first floor of the building above established grade may encroach into the required rear yard setback the lesser of 2.5 metres or 50% of the required rear yard setback, if it is no closer to a side lot line than the greater of:
   (i) 0.3 metres, or
   (ii) a distance equal to the vertical distance between the highest part of the floor of the platform and the average elevation of grade at the side of the platform;

(D) in a rear yard, a platform with a floor higher than the first floor of the building above established grade may encroach into the required rear yard setback the lesser of 1.5 metres or 50% of the required rear yard setback, if it is no closer to a side lot line than:
   (i) the required side yard setback; plus
   (ii) the vertical distance between the first floor of the building and the average elevation of grade along the building’s rear main wall;

(E) in a side yard, a platform with a floor no higher than the first floor of the building above established grade 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

(F) in a side yard a platform with a floor higher than the first floor of the building above established grade:
   (i) may encroach into the required side yard setback a maximum of 1.5 metres if the side
yard abuts a street; and
(ii) may not encroach into a required side yard setback if the side yard does not abut a street.

(2) Canopies and Awnings
In the Residential Zone category a canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with the requirements of regulation 10.5.40.60 (1), may encroach into a required building 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 a required building 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 building setback,
(i) in a front yard or rear yard, the lesser of 2.5 metres or 50% of the required building setback, if it is no closer to a side lot line than the minimum 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
In the Residential Zone category, an exterior stair, access ramp and elevating device providing access to a building or structure may encroach into a required building setback as follows:
(A) exterior stairs, if the stairs are:
(i) no longer than 1.5 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure;
(ii) no wider than 2.0 metres; and
(iii) no closer to a lot line than 0.6 metres;
(B) an uncovered ramp, if the ramp is:
(i) no longer than 12 horizontal units for each 1.0 vertical unit above grade at the point where the ramp meets the building or structure;
(ii) no wider than 1.5 metres for each sloped ramp segment; and
(iii) no closer to a lot line than 0.6 metres; and
(C) an elevating device, if the elevating device:
(i) elevates no higher than the first floor of the building;
(ii) has a maximum area of 3.0 square metres; and
(iii) is no closer to a lot line than 0.6 metres.

(4) Exterior Main Wall Surface
In the Residential Zone category, cladding added to the original exterior surface of the main wall of a building may encroach into a required building setback a maximum of 0.15 metres, if the added cladding is no closer to a lot line than 0.3 metres.

(5) Architectural Features
In the Residential Zone category, architectural features on a building must comply with the following:
(A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature may encroach into a required building setback a maximum of 0.6 metres, if it is no closer to a lot line than 0.3 metres; and
(B) a chimney breast may encroach into a required building setback a maximum of 0.6 metres, if it:
(i) is no wider than 2.0 metres; and
(ii) is no closer to a lot line than 0.3 metres.

(6) Window Projections
In the Residential Zone category, a bay window, box window, or other window projection from a main wall of a building, which increases floor area or enclosed space 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 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**
On a **building** in the Residential Zone category, roof projections must comply with the following:
(A) a dormer projecting from the surface of a roof may not have any wall of the dormer closer to a **lot line** than the required **building setback**; and
(B) the eaves of a roof may encroach into a required **building setback** a maximum of 0.9 metres, if they are no closer to a **lot line** than 0.3 metres.

(8) **Equipment**
In the Residential Zone category, the following wall mounted equipment on a **building** may encroach into required **building setbacks** as follows, if the equipment is no closer to a **lot line** than 0.3 metres:
(A) vents, pipes, or utility equipment, a maximum of 0.6 metres into a required **rear yard setback** or **side yard setback**;
(B) satellite dish, a maximum of 0.9 metres into any required **building setback**;
(C) antenna, or a pole used to hold an antenna, a maximum of 0.9 metres into any required **rear yard setback** or **side yard setback**; and
(D) air conditioner, a maximum of 0.9 metres,
   (i) into a required **rear yard setback**, and
   (ii) into a required **side yard setback** if it is not located above the first **storey**.

10.5.40.70 **Setbacks**

(1) **Front Yard Setback - Averaging**
   In the Residential Zone category, if a **lot** is located:
   (A) beside one **lot** in the Residential Zone category, and that abutting **lot** has a **lawfully existing 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 **lawfully existing building** on the abutting **lot**; or
   (B) between two abutting **lots** in the Residential Zone category, each with a **lawfully existing 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 **lawfully existing buildings** on the abutting **lots**.

(2) **Building or Structure to be Set Back from a Lane**
   An **building** or **structure** in the Residential Zone category may be no closer than 2.5 metres from the original centreline of a **lane**.

10.5.40.71 **Setbacks Exemptions**

(1) **Permitted Setbacks for Lawfully Existing Buildings**
   In the Residential Zone category, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the minimum **building setback** required by this By-law from:
   (A) a **front lot line**, that **lawful building setback** is the minimum **front yard setback** for that **building** or **structure**;
   (B) a **rear lot line**, that **lawful building setback** is the minimum **rear yard setback** for that **building** or **structure**; and
(C) a side lot line, that lawful building setback is the minimum side yard setback for that building or structure.

(2) Additions to Lawfully Existing Buildings

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

(3) Additions Above Lawfully Existing Buildings on Specified Lots

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

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

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

(A) less than 9.0 metres, is the side yard setback permitted by regulation 10.5.40.71 (1); or

(B) 9.0 metres to 12.2 metres, is the greater of:

(i) 50% of the minimum side yard setback required by this By-law; or

(ii) the side yard setback permitted by regulation 10.5.40.71 (1).

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

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

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

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

10.5.50 Yards

10.5.50.10 Landscaping

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

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

(A) for lots with a lot frontage less than 6.0 metres, or a townhouse dwelling unit less than 6.0 metres wide, the front yard, excluding a permitted driveway, must be landscaping;

(B) for lots with a lot frontage of 6.0 metres to less than 15.0 metres, or a townhouse dwelling unit at least 6.0 metres wide, a minimum of 50% of the front yard must be landscaping;

(C) for lots with a lot frontage of 15.0 metres or greater, a minimum of 60% of the front yard must be landscaping; and

(D) a minimum of 75% of the front yard landscaping required in (A), (B), and (C) above, must be soft landscaping.

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

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

(A) a minimum of 60% of the side yard abutting a street for landscaping; and

(B) a minimum of 75% of the side yard landscaping required in (A), above, must be soft landscaping.
(3) Rear Yard Soft Landscaping for Residential Buildings Other Than an Apartment Building

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

(A) a minimum of 50% of the rear yard for soft landscaping, if the lot frontage is greater than 6.0 metres; and

(B) a minimum of 25% of the rear yard for soft landscaping, if the lot frontage is 6.0 metres or less.

(4) Landscaping Requirement for an Apartment Building

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

(A) a minimum of 50% of the area of the lot for landscaping; and

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

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

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

(6) Landscaping Exclusion for Permitted Encroachments

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

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

In the Residential Zone category, for the calculation of soft landscaping required by regulation 10.5.50.10 (3) and (4), the area of soft landscaping 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 ancillary buildings or structures in the Residential Zone category, if they are ancillary to dwelling units or residential buildings.

(2) Living Accommodation in Ancillary Buildings

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

(3) Food or Sanitary Facilities in Ancillary Buildings

An ancillary building in the Residential Zone category may have:

(A) food preparation facilities and sanitary facilities if the ancillary building or structure is for indoor amenity space required by this By-law; or

(B) either food preparation facilities or sanitary facilities, but not both, if the ancillary building or structure is for any other purpose.

(4) Ancillary Building or Structure Construction Timing

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

10.5.60.10 Location

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

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

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

In the Residential Zone category, **ancillary building setback** requirements apply to all parts of an **ancillary building** or **structure** above and below grade, excluding footings.

(2) Ancillary Buildings or Structures - Rear Yard Setback

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

(A) if an **ancillary building** or **structure** is located on a **through lot**, and a **residential building** on an adjacent **lot** fronts on the **street** that abuts the rear **lot line** of the **through lot**, the minimum **rear yard setback** for the **ancillary building** or **structure** is equal to the minimum **front yard setback** required for the **residential building** on the adjacent **lot**;

(B) if an **ancillary building** or **structure** is located on a **lot** with a **lot depth** greater than 45 metres, and its height is greater than 2.5 metres or its floor area, including areas for the purpose of parking, is greater than 10 square metres, the minimum **rear yard setback** for the **ancillary building** or **structure** is equal to 50% of the height of the **ancillary building** or **structure**; and

(C) in cases other than those set out in (A) or (B) above, the minimum **rear yard setback** for **ancillary buildings** or **structures** is 0.3 metres.

(3) Ancillary Buildings or Structures - Side Yard Setback

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

(A) in a **side yard**, is the minimum **side yard setback** required for the **residential building** on the **lot**;

(B) in a **rear yard** and less than 1.8 metres from the **residential building** on the **lot**, is the same as the minimum **side yard setback** required for the **residential building**; and

(C) in a **rear yard** and 1.8 metres or more from the **residential building** on the **lot**, is as follows:

(i) if it is on a **corner lot**, and a **residential building** on an adjacent **lot** fronts on the **street** that abuts the **side lot line** of the **corner lot**, the **ancillary building** or **structure** must be set back from the **side lot line** that abuts the **street** a distance equal to the minimum **front yard setback** required for the **residential building** on the adjacent **lot**;

(ii) if it is on a **lot** where the minimum required **lot frontage** is 21.0 metres or more, and its height is greater than 2.5 metres or its floor area, including areas for the purpose of parking, is greater than 10 square metres, the minimum **side yard setback** is equal to 50% of the height of the **ancillary building** or **structure**; and

(iii) in cases other than those set out in (i) and (ii) above, the minimum **side yard setback** is 0.3 metres.

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

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

(5) Detached Private Garages - Rear Yard Setback

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

(A) if the rear **lot line** abuts a **lane** and **vehicle** access to the **parking space** in the **ancillary building** is from the **lane**, the minimum **rear yard setback** is 1.0 metres, subject to regulation 10.5.60.20 (4); and

(B) if it is on a **through lot**, and **vehicle** access is from the **street** abutting the rear **lot line**, the minimum **rear yard setback** is the greater of:

(i) the minimum **front yard setback** required for a **residential building** on the adjacent **lot** that fronts on the same **street** that the rear **lot line** abuts; or

(ii) 6.0 metres.

(6) Detached Private Garages - Side Yard Setback

In the Residential Zone category, the minimum **side yard setback** for an **ancillary building** or **structure** containing a **parking space** must comply with regulation 10.5.60.20 (3), except:
(A) if a side lot line abuts a lane, and vehicle access to the parking space is from the lane, the building setback from that side lot line is 1.0 metres, subject to regulation 10.5.60.20 (4); and

(B) if it is on a corner lot, and vehicle access is from the street abutting the side lot line, the minimum side yard setback is 6.0 metres.

(7) Detached Private Garages Situated on More than One Lot
Despite regulation 10.5.60.20 (3) and (6), if an ancillary building or structure contains parking spaces required for dwelling units on abutting lots in the Residential Zone category, it may be located on the common side lot line.

(8) Swimming Pools or Similar Ancillary Structures Containing Water - Rear Yard Setback
Despite regulation 10.5.60.20 (2), in the Residential Zone category, the minimum rear yard setback for a swimming pool or other ancillary structure used to hold water, such as a fountain or artificial pond, is as follows:

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

(B) on a lot with an apartment building,
   (i) 7.5 metres, if it is a through lot,
   (ii) 4.5 metres in all other cases, and
   (iii) no minimum rear yard setback is required if the water surface area is 3.0 square metres or less.

(9) Swimming Pools or Similar Ancillary Structures Containing Water - Side Yard Setback
Despite regulation 10.5.60.20 (3), in the Residential Zone category, the minimum side yard setback for a swimming pool or other ancillary structure used to hold water, such as a fountain or artificial pond, is as follows:

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

(B) on a lot with an apartment building,
   (i) 4.5 metres,
   (ii) if it is a corner lot, 7.5 metres from the side lot line abutting a street, and
   (iii) no minimum side yard setback is required if the water surface area is 3.0 square metres or less.

(10) Ground Mounted Heating or Air-Conditioning Devices - Front Yard Setbacks and Side Yard Setbacks
In the Residential Zone category, a heating or air-conditioning device that is mounted on the ground must comply with the following:

(A) despite regulation 10.5.60.10 (1), the device may be located in a front yard, if it is at least 6.0 metres from the front lot line; and

(B) despite regulation 10.5.60.20 (3) (A), if the device is located in a side yard, it may be no closer to the side lot line than the lesser of:
   (i) 0.9 metres; or
   (ii) the minimum side yard setback required for the residential building on the lot.
(11) Open Platforms - Rear Yard Setbacks and Side Yard Setbacks

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

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

10.5.60.30 Separation

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

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

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

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

10.5.60.40 Height

(1) Determining the Height of Ancillary Buildings or Structures

In the Residential Zone category, the height of an ancillary building or structure is the distance between the average grade and 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 residential building on the lot; and
(B) 4.0 metres in all other cases.

(3) Maximum Storeys for Ancillary Buildings or Structures

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

(4) Entrances to Ancillary Buildings or Structures

The 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 along the entrance to the ancillary building or structure.

(5) Height Restrictions for Platforms

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

(A) located on top of any ancillary building;
(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

In the Residential Zone category, the gross floor area of ancillary buildings and structures is not included for the purpose of calculating the total gross floor area and floor space index for a lot.
(2) **Maximum Floor Area of Ancillary Buildings or Structures**

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

(3) **Maximum Floor Area Limitations**

Despite regulation 10.5.60.50 (2), the maximum floor area of an **ancillary building or structure**:

(A) located less than 1.8 metres from the **main wall** of the **residential building** on the **lot** is 10.0 square metres; and  
(B) used as a detached garage is 40.0 square metres.

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**10.5.60.60 Permitted Encroachments**

(1) **Roof Projections for Ancillary Buildings**

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

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**10.5.60.70 Lot Coverage**

(1) **Lot Coverage Requirement for Ancillary Buildings and Structures**

An **ancillary building or structure** on a **lot** in the Residential Zone category, other than 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** may not exceed 10% of the **lot area**.

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

In the Residential Zone category, the water surface area of unenclosed swimming pools or other **ancillary structures** used to hold water, such as fountains or artificial ponds:

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

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**10.5.75 Energy Regulations**

**10.5.75.1 General**

(1) **Renewable Energy or Cogeneration Energy Device**

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

(2) **Cogeneration Energy Device**

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

(3) **Geo-energy Device**

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

(A) a **building or structure** on the **lot**; and  
(B) if located on a **lot** with a **residential building**, 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) located on a building,
   (i) must comply with the building setback requirements, and
   (ii) no part of the device may be higher than
       (a) 1.2 metres above the permitted maximum height for any residential building other than an apartment building, or
       (b) 2.0 metres above the permitted maximum height for an apartment building or non-residential building; and

(B) if ground mounted, must comply with the requirements in this By-law for
   (i) a building or structure on the lot, and
   (ii) if located on a lot with a residential building, 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 may be no more than one wind energy device on a lot;
(B) all parts of a wind energy device on a lot must comply with the building setback requirements for a building on the lot;
(C) on a lot with a residential building other than an apartment building, no part of a wind energy device may be higher than 2.5 metres above the permitted maximum height for the building; and
(D) on a lot with an apartment building or non-residential building, no part of a wind energy device may be higher than,
   (i) 3.0 metres above the permitted maximum height for the building, if
       (a) the permitted maximum height for the building is less than 24.0 metres, or
       (b) the lot abuts another lot in the Residential Zone category, and
   (ii) in all other cases, 5.0 metres above the permitted maximum height for the building.

10.5.80 Parking

10.5.80.1 General

(1) Use of Required Parking Space
   A parking space required by this By-law for a use in the Residential Zone category must be available for the use for which it is required.

(2) Ancillary Outdoor Area for Parking
   In the Residential Zone category, a lot with a residential building other than a detached house, semi-detached house or a duplex, may have an ancillary outdoor area used for the parking or storing of more than 3 vehicles if:
   (A) no portion of the ancillary outdoor area is closer to a residential building on the same lot than 6.0 metres;
   (B) the ancillary outdoor area is fenced, excluding the portions used for access;
   (C) the surface area used for the parking or storing of vehicles is no closer to a fence than 1.5 metres;
   (D) the ancillary outdoor area is no closer to a lot line that abuts a street than the greater of,
       (i) 6.0 metres, or
       (ii) the distance that a residential building on an adjoining lot is set back from its lot line abutting the same street; and
   (E) there is no more than one ancillary building for parking attendants, and it
       (i) has a maximum height of 3.0 metres,
       (ii) has a maximum floor area of 5.0 square metres, and
(iii) is no closer to any lot line abutting a street than 6.0 metres.

(3) Bachelor Unit Size for Parking Space Calculation
For the purpose of calculating parking space requirements in the Residential Zone category, the bachelor dwelling unit parking rate applies if the bachelor dwelling unit has an interior floor area of 45 square metres or less. If the bachelor dwelling unit has an interior floor area greater than 45 square metres the one bedroom parking rate applies.

10.5.80.10 Location

(1) Location of Required Parking Spaces
In the Residential Zone category, a parking space must be located on the same lot as the use for which the parking space is required.

(2) Parking Space Location for Apartment Buildings
In the Residential Zone category, a minimum of 50% of the required parking spaces for an apartment building, other than required visitor parking spaces, must be located in a building or underground structure.

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

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

(5) Parking Space for a Secondary Suite
Despite regulation 10.5.80.10 (3), in the Residential Zone category a required parking space for a secondary suite may be located in the front yard if it is on a driveway.

(6) Corner Lot Parking Space Location
On a corner lot in the Residential Zone category, a parking space must be located:

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

(7) Rear Yard Parking Spaces
In the Residential Zone category, on a lot with a detached house, a semi-detached house or a duplex, a maximum of 2 parking spaces may be located in the rear yard.

(8) Parking Spaces for Storing Recreational Vehicles
A maximum of two parking spaces on a lot in the Residential Zone category may be used for recreational vehicles, if:

(A) there is not more than one camper trailer or one boat trailer; and
(B) the recreational vehicles are stored in:

(i) a building, or
(ii) a parking space in the area of the rear yard which is not required for soft landscaping.

(9) Commercial Vehicle Parking Restriction
A parking space in the Residential Zone category may be used for a commercial vehicle, if:

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

(10) Commercial Vehicle Parking Not Permitted in Yards
A parking space located outside of a building in the Residential Zone category may not be used for:
(A) commercially licensed vehicles;
(B) construction vehicles;
(C) dump trucks;
(D) agricultural vehicles;
(E) repair or towing vehicles;
(F) tracked vehicles;
(G) vehicles with a traction engine;
(H) vehicles designed to run only on rails; and
(i) vehicles equipped with more than six wheels, excluding spare wheels.

10.5.80.11 Location Exemptions

(1) Lawfully Existing Front Yard Parking Spaces
In the Residential Zone category, if a lawfully existing building had one or two parking spaces lawfully located on a driveway in the front yard, regulation 10.5.80.10 (3) does not apply so long as those parking spaces remain.

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

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

10.5.80.30 Separation

(1) Parking Space Separation from Apartment Building
In the Residential Zone category, a surface parking space must be at least 3.0 metres from all main walls of an apartment building.

10.5.80.40 Access to Parking Space

(1) Maximum Width of Garage Entrance in Front Wall on Certain Lots
In the Residential Zone category, for a lot with a detached house or a semi-detached house, if the minimum required lot frontage is less than 24.0 metres, the maximum combined width of all vehicular entrances through the front main wall of the residential building is 6.0 metres.

(2) Elevation of Garage Entrance in Certain Types of Residential Buildings
In the Residential Zone category, for a detached house or semi-detached house, and for an individual townhouse dwelling unit where an individual private driveway leads directly to the dwelling unit, the elevation of the lowest point of a vehicular entrance in a main wall of the building must be higher than the elevation of the centreline of the driveway at the point where it intersects a lot line abutting a street.

(3) Parking Space Access on a Corner Lot
In the Residential Zone category, vehicle access to a parking space on a corner lot must comply with the following:

(A) if the lot abuts a lane, vehicle access must be from the lane;
(B) if the lot does not abut a lane, vehicle access must be from a flanking street that is not a major street shown on the Policy Areas Overlay Map; and
(C) in all other cases, vehicle access may be from the street on which the lot fronts.

10.5.100 Access to Lot

10.5.100.1 General

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

In the Residential Zone category, in addition to meeting the landscaping requirements in regulation 10.5.50.10, for a detached house, semi-detached house, or duplex, and for an individual townhouse dwelling unit if an individual private driveway leads directly to the dwelling unit, a driveway that is 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 at least 6.0 metres wide, a maximum driveway width the lesser of:

(i) 6.0 metres;

(ii) the cumulative width of side-by-side parking spaces behind the front main wall, if there is at least one parking space behind the front main wall but not in the rear yard; or

(iii) 2.6 metres if every parking space is in the rear yard; and

(D) for lots with a lot frontage greater than 23.0 metres, a maximum driveway width the lesser of:

(i) 9.0 metres;

(ii) the cumulative width of side-by-side parking spaces behind the front main wall if there is at least one parking space behind the front main wall but not in the rear yard; or

(iii) 2.6 metres if all parking spaces are in the rear yard.

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

In the Residential Zone category, for a detached house, semi-detached house, or duplex, and for an individual townhouse dwelling unit if an individual private driveway leads directly to the dwelling unit, a driveway that is not 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 clause 10.5.50.10.

(7) Hammerhead Turnaround Driveway Permitted on Certain Lots
In the Residential Zone category, a lot with a residential building, other than an apartment building with 25 or more dwelling units, may have a driveway with a hammerhead turnaround, if the lot complies with the front yard landscaping requirements of clause 10.5.50.10 and:
(A) the lot has a lot frontage greater than 18.0 metres; or
(B) vehicle access is from a street with a minimum right-of-way width of 27.0 metres.

(8) Hammerhead Turnaround Driveway Dimensions
In the Residential Zone category, a hammerhead turnaround must:
(A) have a maximum width of 3.0 metres;
(B) extend no more than 4.5 metres from one edge of the driveway; and
(C) extend no more than 3.0 metres from each opposite edge of the driveway.

10.5.150 Waste

10.5.150.1 General

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

10.10.1.10 Interpretation

(1) Application of This Section
The regulations in Section 10.10 apply to all lands, uses, buildings and structures in an R zone.

10.10.20 Permitted Uses

10.10.20.10 Permitted Use

(1) Use – R Zone
The following uses are permitted in an R zone:
Dwelling Unit in a permitted building type in Clause 10.10.20.40.
Park.

10.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions – R Zone
The following uses are permitted in an R zone if they comply with the specific conditions associated with the reference number(s) for each use 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 permitted in the following residential building types:
(A) Detached House;
(B) Semi-Detached House;
(C) Townhouse;
(D) Duplex;
(E) Triplex;
(F) Fourplex; and
(G) Apartment Building.

10.10.20.100 Conditions

(1) Ambulance Depot, Fire Hall or Police Station
In an R zone, an ambulance depot, a fire hall or a police station must be on a lot that:
(A) fronts on a major street shown on the Policy Areas Overlay Map; or
(B) fronts on a street which intersects a major street shown on the Policy Areas Overlay Map, and is not more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production
In an R Zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(3) Community Centre or Library
In an R zone, a community centre or a library must be operated by, or on behalf of, the City of Toronto.

(4) Day Nursery
A day nursery in an R zone must comply with the specific use regulations in Section 150.45.

(5) Group Home
A group home in an R zone must comply with the specific use regulations in Section 150.15.

(6) Home Occupation
A home occupation in an R zone must comply with the specific use regulations in Section 150.5.
(7) **Municipal Shelter**
A municipal shelter in an R zone must comply with the specific use regulations in Section 150.22.

(8) **Private Home Daycare**
A children’s play area associated with a private home daycare in an R zone must:

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

(9) **Public Utility**
In an R zone, a public utility must not be:

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

(10) **Public Utility**
In an R zone, a public utility must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the R zone if it is:

   (A) an electrical transformer station; or
   (B) a natural gas regulator station.

(11) **Retail Stores in Apartment Buildings**
In an R zone, a retail store may be located in an apartment building with 100 or more dwelling units, and is subject to the following:

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

(12) **Rooming House**
A rooming house in an R zone must comply with the specific use regulations in Section 150.25.

(13) **Secondary Suite**
A secondary suite in an R zone must comply with the specific use regulations in Section 150.10.

(14) **Seniors Community House**
A seniors community house in an R zone must comply with the specific use regulations in Section 150.30.

(15) **Tourist Home**
In an R zone, a tourist home must:

   (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.

(16) **Transportation Use**
A building or structure located on a lot in an R zone and used for a transportation use must comply with all requirements in this By-law for a building on that lot.

**10.10.30 Lot Requirements**

**10.10.30.10 Lot Area**
(1) Minimum Lot Area

(A) If a zone label 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 label in an R Zone does not include an ‘a’ value, the minimum lot area, in square metres, is the minimum required lot frontage multiplied by 30 metres.

10.10.30.20 Lot Frontage

(1) Minimum Lot Frontage

(A) If a zone label 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 label in an R zone does not include an ‘f’ value, the minimum lot frontage is 6.0 metres.

(C) The minimum lot frontage requirement for an R zone cited in (A) or (B) above:
   
   (i) for a semi-detached house, is the minimum lot frontage for each dwelling unit; and
   
   (ii) for a townhouse with every dwelling unit fronting directly on a street,

      (a) is the minimum lot frontage for each dwelling unit, and

      (b) 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 has a townhouse with one or more dwelling units not fronting directly on a street, the minimum lot frontage is 30.0 metres.

10.10.40 Principal Building Requirements

10.10.40.1 General

(1) Application of this Article

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

(2) Number of Residential Buildings on a Lot

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

(3) Number of Dwelling Units on a Lot

If a zone label 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.

(4) 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.

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

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

(A) it has dwelling units and is in the rear of another building or the original part of the same building; or

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

10.10.40.10 Height
(1) **Maximum Height**

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

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

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

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

(A) for no less than 60% of the total width of
   (i) all front main walls, and
   (ii) all rear main walls; or

(B) all side main walls,
   (i) for no less than 60% of the total width of the side main walls facing a side lot line that abuts a street, and
   (ii) for no less than 100% of the total width of the side main walls that do not face a side lot line that abuts a street.

(3) **Maximum Number of Storeys**

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

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

(4) **Roof Slope Restriction for a Detached House**

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

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

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

(6) **Height of 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.

(7) **Addition to an Existing Residential Building**

In an R zone, all floor levels within an addition, extension or enlargement to the rear of a residential building, may not be higher than the uppermost floor level in the existing building.

(8) **Height -- for Specified Structures**

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

(A) antennae;
(B) flagpoles; and
(C) satellite dishes.

(9) **Height -- for Rooftop Outdoor Recreation, Safety and Wind Protection**

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

(A) on the roof of a building with a height greater than 15.0 metres; and
(B) no closer than 2.0 metres from the interior face of any main wall.
10.10.40.11 Height Exemptions

(1) Alterations to the Roof of Lawfully Existing Buildings in an R Zone
In addition to regulation 10.5.40.11 (3), if a lawfully existing building in an R zone is a detached house, the altered roof may not have a slope greater than 5.0 vertical units for every 3.0 horizontal units.

10.10.40.30 Building Depth

(1) Maximum Building Depth
In 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
In an R zone, the maximum floor space index is:
(A) the numerical value following the letter ‘d’ in the zone label; or
(B) if the zone label does not include a ‘d’ value, the maximum floor space index is 0.6.

(2) Additions to the Rear of Certain Residential Buildings
If a lot in an R zone has a maximum floor space index of 0.6, and has a detached house, a semi-detached house or a duplex, erected before October 15, 1953, the detached house, semi-detached house or duplex may be enlarged by an addition to the rear of the building if:
(A) the overall floor space index for the lot, including the addition, does not exceed a total of 0.69;
(B) no part of the addition is closer to the nearest side lot line than the shortest distance between the existing side main wall of the building and the side lot line; and
(C) any prior addition is at least 5 years old.

10.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space for an Apartment Building
In 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.

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

10.10.40.70 Setbacks

(1) Minimum Front Yard Setback
If regulation 10.5.40.70 (1) does not apply, 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 regulation 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 that 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.

10.10.40.80 Separation

(1) Distance Between Main Walls of the Same Townhouse or Apartment Building
In an R zone, if a townhouse or an apartment building has main walls where a line projected outward at a right angle from one of the main walls intercepts another main wall of the same building, the minimum above ground separation distance between those main walls is:

(A) 2.0 metres if there are no openings to dwelling units in those main walls;
(B) 5.5 metres if there are no openings to dwelling units in one of those main walls; and
(C) 11.0 metres if each main wall has an opening to a dwelling unit.

10.10.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings
In an R zone, if the lawful separation distance between the main walls of lawfully existing buildings on the same lot, or between main walls of the same lawfully existing building, is less than the minimum separation distance between main walls required by this By-law, that lawful separation distance is the permitted minimum separation distance for those main walls.

(2) Additions to Lawfully Existing Buildings
In an R zone, any addition or extension to a lawfully existing building referred to in regulation 10.10.40.81 (1) must comply with the minimum separation distance between main walls required by this By-law or be authorized by a Section 45 Planning Act minor variance.
10.10.50 Yards

10.10.60 Ancillary Buildings and Structures

10.10.60.1 General

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

10.10.60.20 Setbacks

(1) Rear Yard Setbacks and Side Yard Setbacks for Detached Private Garages
Despite regulation 10.5.60.20 (2), (3), (5) and (6), in an R zone the minimum rear yard setback and side yard setback for an ancillary building or structure containing a parking space is:
(A) 1.0 metres from a rear lot line or side lot line abutting a street or lane, subject to regulation 10.5.60.20 (4); and
(B) no minimum building setback is required from a rear lot line or side lot line that does not abut a street or lane.

10.10.60.70 Lot Coverage

(1) Lot Coverage Requirement for Ancillary Buildings and Structures
Despite regulation 10.5.60.70 (1), in an R zone the area of the lot covered by ancillary buildings and structures may not exceed 5% of the lot area, except for the following:
(A) swimming pools or other ancillary structures used to hold water, if they comply with regulation 10.5.60.70 (2); and
(B) ancillary buildings or structures containing required parking spaces.

10.10.80 Parking

10.10.80.1 General

(1) Conversion of a Parking Space in a Building to Habitable Space
A parking space located inside a lawfully existing building on a lot in an R zone, other than an ancillary building, may be converted to habitable space and no further parking space is required if:
(A) the lawfully existing 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 building is removed, and any front yard depression in the ground is filled to established grade.

10.10.80.40 Access to Parking Space

(1) Garage Entrance in Front Wall Not Permitted on Certain Lots
Despite regulation 10.5.80.40 (1), if a lot in an R zone has a lot frontage of 7.6 metres or less, a
vehicular entrance through the front main wall of a building, other than an ancillary building, is not permitted.

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

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

10.10.80.200 Exemptions

(1) Exemption from Parking Space Requirements for Certain Lots

In 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 building has been converted to habitable space in compliance with regulation 10.10.80.1 (1).

10.10.90 Loading

10.10.90.1 General

(1) Loading Space Options

Despite regulation 220.5.10.1 (2), if an apartment building in an R zone has 400 dwelling units or more, the requirement for a Type 'C' loading space may be satisfied by the provision of a Type 'A' loading space, a Type 'B' loading space, or a second Type 'G' loading space, as described in regulation 220.5.1.10 (8).

10.20 Residential Detached Zone (RD)

10.20.1 General

10.20.1.10 Interpretation

(1) Application of This Section

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

10.20.20 Permitted Uses

10.20.20.10 Permitted Use

(1) Use – RD Zone

The following uses are permitted in an RD zone:

- Dwelling Unit in a permitted building type in Clause 10.20.20.40.
- Park.
The following uses are permitted in an RD zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.20.20.100:

- Ambulance Depot (1)
- Cogeneration Energy Production (2)
- Community Centre (3)
- Day Nursery (4)
- Fire Hall (1)
- Group Home (5)
- Home Occupation (6)
- Library (3)
- Municipal Shelter (7)
- Police Station (1)
- Private Home Daycare (8)
- Public Utility (9, 10)
- Renewable Energy Production (2)
- Secondary Suite (11)
- Seniors Community House (12)
- Transportation Use (13)

10.20.40 Permitted Building Types

1. Permitted Building Types – RD Zone
   In an RD zone, a dwelling unit is permitted in the following residential building types:
   (A) Detached House.

10.20.100 Conditions

1. Ambulance Depot, Fire Hall or Police Station
   In an RD zone, an ambulance depot, a fire hall or a police station must be on a lot that:
   (A) fronts on a major street shown on the Policy Areas Overlay Map; or
   (B) fronts on a street which intersects a major street shown on the Policy Areas Overlay Map, and is not more than 250 metres from that intersection.

2. Cogeneration Energy Production or Renewable Energy Production
   In an RD zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

3. Community Centre or Library
   In an RD zone, a community centre or a library must:
   (A) be operated by, or on behalf of, the City of Toronto;
   (B) be on a lot with a lot area of 1500 square metres or less; and
   (C) have a front lot line or side lot line abutting,
      (i) a major street shown on the Policy Areas Overlay Map, or
      (ii) a street which intersects a major street shown on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within a distance of 80 metres from that intersection.

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

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

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

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

(8) **Private Home Daycare**

A children’s play area associated with a **private home daycare** in an RD zone must:

(A) be fenced; and

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

(9) **Public Utility**

In an RD zone, a **public utility** must not be:

(A) a sewage treatment plant;

(B) a water filtration plant; or

(C) an above ground water reservoir.

(10) **Public Utility**

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

(A) an electrical transformer station; or

(B) a natural gas regulator station.

(11) **Secondary Suite**

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

(12) **Seniors Community House**

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

(13) **Transportation Use**

A **building or structure** located on a **lot** in an RD zone and used for a **transportation use** must comply with all requirements in this By-law for a **building** on that **lot**.

**10.20.30 Lot Requirements**

**10.20.30.10 Lot Area**

(1) **Minimum Lot Area**

(A) If a zone label 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 label in an RD zone does not include an ‘a’ value, the minimum **lot area** is the minimum required **lot frontage** multiplied by 30 metres.

**10.20.30.20 Lot Frontage**

(1) **Minimum Lot Frontage**

(A) If a zone label 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 label in an RD zone does not include an ‘f’ value, the minimum **lot frontage** is 12.0 metres.

**10.20.30.40 Lot Coverage**

(1) **Maximum Lot Coverage**

(A) 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.
(B) If a lot in an RD zone is not in an area with a numerical value shown on the Lot Coverage Overlay Map, the lot coverage is not limited by this regulation.

10.20.40 Principal Building Requirements

10.20.40.1 General

(1) Application of this Article
   The regulations in Article 10.20.40 apply to buildings or structures in an RD zone, other than ancillary buildings or structures which are subject to Article 10.5.60.

(2) Number of Residential Buildings on a Lot
   A maximum of one residential building is permitted on a lot in an RD zone.

(3) Building Orientation to a Street – Buildings with Dwelling Units
   In an RD zone, a building, or an addition which is not attached above grade to the original part of a building, is not permitted if:
   (A) it has dwelling units and is in the rear of another building or the original part of the same building; or
   (B) it is in front of a building, or the original part of the same building, with dwelling units, so as to produce the condition of a building with dwelling units in the rear of another building.

10.20.40.10 Height

(1) Maximum Height
   The maximum height for a building or structure on a lot in an RD zone is:
   (A) the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map; or
   (B) if the lot is in an area with no numerical value following the letters 'HT' shown on the Height Overlay Map, 10.0 metres.

(2) Maximum Height of Specified Pairs of Main Walls
   In an RD zone, the maximum height of the exterior portion of main walls for a detached house is the higher of 7.0 metres above established grade or 2.5 metres less than the permitted maximum height in regulation 10.20.40.10 (1), for either (A) or (B) below:
   (A) for no less than 60% of the total width of
      (i) all front main walls, and
      (ii) all rear main walls; or
   (B) all side main walls,
      (i) for no less than 60% of the total width of the side main walls facing a side lot line that abuts a street, and
      (ii) for no less than 100% of the total width of the side main walls that do not face a side lot line that abuts a street.

(3) Maximum Number of Storeys
   The maximum number of storeys permitted in a building on a lot in an RD zone is:
   (A) the numerical value following the letters 'ST' shown on the Height Overlay Map; and
   (B) if the lot is in an area with no numerical value following the letters 'ST' shown on the Height Overlay Map, the number of storeys is not limited by this regulation.

(4) Restrictions for a Detached House with a Flat or Shallow Roof
   If a detached house in 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 regulation 10.20.40.10 (1), the maximum height is 7.2 metres;
(B) regulation 10.20.40.10 (2) does not apply; and
(C) despite regulation 10.20.40.10 (3), the building 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 in regulation 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 first floor above established grade is 1.2 metres.

(7) Width of Dormers in a Roof Above a Second Storey or Higher
In an RD zone, on a detached house with two or more storeys, the exterior sides of a dormer are not main walls if the total width of dormers projecting from the surface of a roof does not occupy more than 40% of the total width of the building's main walls on the same front, rear or side as the dormers, measured at the level of the uppermost storey below the roof.

(8) Exclusion of Certain Floor Area Within an Attic Space as a Storey
In an RD zone, where a floor area meets the conditions set out in regulation 10.5.40.40 (1), this space is not a storey if it is used for housing or maintaining mechanical equipment for the building and the floor area does not exceed 20 square metres.

10.20.40.11 Height Exemptions

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

10.20.40.20 Building Length

(1) Maximum Building Length if Required Lot Frontage is in Specified Range
In 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 regulation 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 regulation 10.20.40.20 (2), may not be more than 19.0 metres from the required front yard setback.

10.20.40.40 Floor Area

(1) Floor Space Index
In an RD zone, the maximum floor space index is:
(A) the numerical value following the letter ‘d’ in the zone label; and
(B) if the zone label does not include a ‘d’ value, the floor space index is not limited by this regulation.

10.20.40.50 Decks, Platforms and Amenities

(1) Platforms at or Above the Second Storey of a Detached House
In an RD zone, a platform such as a deck or balcony, with access from the second storey or above of a detached house must comply with the following:
(A) there may be no more than a total of four platforms, and no more than one on each of the front, rear and each side of the detached house; and
(B) the maximum area of each platform is 4.0 square metres.

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

10.20.40.70 Setbacks

(1) Minimum Front Yard Setback
If regulation 10.5.40.70 (1) does not apply, the minimum required front yard setback in an RD zone is 6.0 metres.

(2) Minimum Rear Yard Setback
The minimum required 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 regulation 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 setback required on one side of a detached house may be reduced by a maximum of 0.3 metres if the minimum side yard setback on the other side of the detached house is increased by the same amount.

(5) Larger Minimum Side Yard Beyond Specified Depth if Required Lot Frontage is Over 18.0 Metres
Despite regulation 10.20.40.70 (3), for a lot in an RD zone with a minimum required lot frontage greater than 18.0 metres, the minimum side yard setback is 7.5 metres for any portion of a building that is farther from the front lot line than the lesser of:
(A) 17.0 metres from the front main wall of the building; or
(B) 19.0 metres from the required front yard setback.

(6) Minimum Side Yard Abutting a Street for Specified Corner Lots
Despite regulation 10.20.40.70 (3) and (4), for a corner lot in 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 side lot line of the corner lot.

10.40 Residential Semi-Detached Zone (RS)

10.40.1 General

10.40.1.10 Interpretation

(1) Application of This Section
The regulations in Section 10.40 apply to all lands, uses, buildings and structures in an RS zone.

10.40.20 Permitted Uses

10.40.20.10 Permitted Use

(1) Use – RS Zone
The following uses are permitted in an RS zone:
Dwelling Unit in a permitted building type in Clause 10.40.20.40.
Park.

10.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions – RS Zone
The following uses are permitted in an RS zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.40.20.100:
Ambulance Depot (1)
Cogeneration Energy Production (2)
Community Centre (3)
Day Nursery (4)
Fire Hall (1)
Group Home (5)
Home Occupation (6)
Library (3)
Municipal Shelter (7)
Police Station (1)
Private Home Daycare (8)
Public Utility (9, 10)
Renewable Energy Production (2)
Secondary Suite (11)
Seniors Community House (12)
Transportation Use (13)

10.40.20.40 Permitted Building Types

(1) Permitted Building Types – RS Zone
In an RS zone, a dwelling unit is permitted in the following residential building types:
(A) Detached House; and
(B) Semi-Detached House.

10.40.20.100 Conditions
(1) Ambulance Depot, Fire Hall or Police Station
In an RS zone, an ambulance depot, a fire hall or a police station must be on a lot that:
   (A) fronts on a major street shown on the Policy Areas Overlay Map; or
   (B) fronts on a street which intersects a major street shown on the Policy Areas Overlay Map, and is
       not more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production
In an RS zone, cogeneration energy production or renewable energy production must be with another
permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and
regulations.

(3) Community Centre or Library
In an RS zone, a community centre or a library must:
   (A) be operated by, or on behalf of, the City of Toronto;
   (B) be on a lot with a lot area of 1500 square metres or less; and
   (C) have a front lot line or side lot line abutting,
      (i) a major street shown on the Policy Areas Overlay Map, or
      (ii) a street which intersects a major street shown on the Policy Areas Overlay Map, and the
          lot is located, in whole or in part, within a distance of 80 metres from that intersection.

(4) Day Nursery
A day nursery in an RS zone must comply with the specific use regulations in Section 150.45.

(5) Group Home
A group home in an RS zone must comply with the specific use regulations in Section 150.15.

(6) Home Occupation
A home occupation in an RS zone must comply with the specific use regulations in Section 150.5.

(7) Municipal Shelter
A municipal shelter in an RS zone must comply with the specific use regulations in Section 150.22.

(8) Private Home Daycare
A children’s play area associated with a private home daycare in an RS zone must:
   (A) be fenced; and
   (B) not be located in the front yard or a side yard abutting a street.

(9) Public Utility
In an RS zone, a public utility must not be:
   (A) a sewage treatment plant;
   (B) a water filtration plant; or
   (C) an above ground water reservoir.

(10) Public Utility
In an RS zone, a public utility must be enclosed by walls and comply with the lot coverage, minimum
building setback and maximum building height for the RS zone if it is:
   (A) an electrical transformer station; or
   (B) a natural gas regulator station.

(11) Secondary Suite
A secondary suite in an RS zone must comply with the specific use regulations in Section 150.10.

(12) Seniors Community House
A seniors community house in an RS zone must comply with the specific use regulations in Section
150.30.

(13) Transportation Use
A building or structure located on a lot in an RS zone and used for a transportation use must comply
with all requirements in this By-law for a building on that lot.

10.40.30 Lot Requirements

10.40.30.10 Lot Area

(1) Minimum Lot Area

(A) If a zone label 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 a 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 label 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 metres.

10.40.30.20 Lot Frontage

(1) Minimum Lot Frontage

(A) If a zone label 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 label in an RS zone does not include an ‘f’ value, the minimum lot frontage is 15.0 metres.

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

10.40.30.40 Lot Coverage

(1) Maximum Lot Coverage

(A) 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.

(B) If a lot in an RS zone is not in an area with a numerical value shown on the Lot Coverage Overlay Map, the lot coverage is not limited by this regulation.

10.40.40 Principal Building Requirements

10.40.40.1 General

(1) Application of this Article

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

(2) Number of Residential Buildings on a Lot

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

10.40.40.10 Height

(1) Maximum Height

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

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

(B) if the lot is in an area with no numerical value following the letters ‘HT’ shown on the Height Overlay Map, the minimum height required is 15.0 metres.
Overlay Map, 10.0 metres.

(2) Maximum Height of Specified Pairs of Main Walls
In an RS zone, the maximum height of the exterior portion of **main walls** for a **detached house** or a **semi-detached house** is the higher of 7.0 metres above **established grade** or 2.5 metres less than the permitted maximum height in 10.40.10 (1), for either (A) or (B) below:

(A) for no less than 60% of the total width of
   (i) all front **main walls**, and
   (ii) all rear **main walls**; or

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

(3) Maximum Number of Storeys
The maximum number of **storeys** permitted in a **building** on a **lot** in an RS zone is:

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

(4) Height of First Floor Above Established Grade
In an RS zone, the maximum height of the **first floor** above **established grade** is 1.2 metres.

(6) Width of Dormers in a Roof Above a Second Storey or Higher
In an RS zone, on a **detached house** or a **semi-detached house** with two or more **storeys**, the exterior sides of a dormer are not **main walls** if the total width of dormers projecting from the surface of a roof does not occupy more than 40% of the total width of the **building’s main walls** on the same front, rear or side as the dormers, measured at the level of the uppermost **storey** below the roof.

10.40.40.20 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 More than 12.0 Metres
Despite regulation 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 regulation 10.40.40.20 (2), may not be more than 19.0 metres from the required **front yard setback**.

10.40.40.40 Floor Area
(1) **Floor Space Index**

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

(A) the numerical value following the letter 'd' in the zone label; and

(B) if the zone label does not include a 'd' value, the floor space index is not limited by this regulation.

### 10.40.40.50 Decks, Platforms and Amenities

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

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

(A) there may be no more than a total of four platforms, and no more than one on each of the front, rear and each side of the detached house; and

(B) the maximum area of each platform is 4.0 square metres.

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

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

(A) there may be no more than a total of three platforms for each dwelling unit, and no more than one on each of the front, rear and side of the dwelling unit; and

(B) the maximum area of each platform is 4.0 square metres; and

(C) a platform at the rear of the dwelling unit is at least 1.8 metres from the common wall dividing the dwelling units, or a projection of that common wall to a lot line.

### 10.40.40.70 Setbacks

(1) **Minimum Front Yard Setback**

If regulation 10.5.40.70 (1) does not apply, the 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

#### 10.60.1.10 Interpretation

(1) **Application of This Section**
The regulations in Section 10.60 apply to all lands, uses, buildings and structures in an RT zone.

10.60.20 Permitted Uses

10.60.20.10 Permitted Use

(1) Use – RT Zone
   The following uses are permitted in an RT zone:
   Dwelling Unit in a permitted building type in Clause 10.60.20.40.
   Park.

10.60.20.20 Permitted Use - with Conditions

(1) Use with Conditions – RT Zone
   The following uses are permitted in an RT zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.60.20.100:
   Ambulance Depot (1)
   Cogeneration Energy Production (2)
   Community Centre (3)
   Day Nursery (4)
   Fire Hall (1)
   Group Home (5)
   Home Occupation (6)
   Library (3)
   Municipal Shelter (7)
   Police Station (1)
   Private Home Daycare (8)
   Public Utility (9, 10)
   Renewable Energy Production (2)
   Secondary Suite (11)
   Seniors Community House (12)
   Transportation Use (13)

10.60.20.40 Permitted Building Types

(1) Permitted Building Types – RT Zone
   In an RT zone, a dwelling unit is permitted in the following residential building types:
   (A) Detached House;
   (B) Semi-Detached House; and
   (C) Townhouse.

10.60.20.100 Conditions

(1) Ambulance Depot, Fire Hall or Police Station
   In an RT zone, an ambulance depot, a fire hall or a police station must be on a lot that:
   (A) fronts on a major street shown on the Policy Areas Overlay Map; or
   (B) fronts on a street which intersects a major street shown on the Policy Areas Overlay Map, and is not more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production
   In an RT zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.
(3) Community Centre or Library
In an RT zone, a community centre or a library must be on a lot that has a front lot line or side lot line abutting:
(A) a major street shown on the Policy Areas Overlay Map; or
(B) a street which intersects a major street shown on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within a distance of 80 metres from that intersection.

(4) Day Nursery
A day nursery in an RT zone must comply with the specific use regulations in Section 150.45.

(5) Group Home
A group home in an RT zone must comply with the specific use regulations in Section 150.15.

(6) Home Occupation
A home occupation in an RT zone must comply with the specific use regulations in Section 150.5.

(7) Municipal Shelter
A municipal shelter in an RT zone must comply with the specific use regulations in Section 150.22.

(8) Private Home Daycare
A children's play area associated with a private home daycare in an RT zone must:
(A) be fenced; and
(B) not be located in the front yard or a side yard abutting a street.

(9) Public Utility
In an RT zone, a public utility must not be:
(A) a sewage treatment plant;
(B) a water filtration plant; or
(C) an above ground water reservoir.

(10) Public Utility
In an RT zone, a public utility must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the RT zone if it is:
(A) an electrical transformer station; or
(B) a natural gas regulator station.

(11) Secondary Suite
A secondary suite in an RT zone must comply with the specific use regulations in Section 150.10.

(12) Seniors Community House
A seniors community house in an RT zone must comply with the specific use regulations in Section 150.30.

(13) Transportation Use
A building or structure located on a lot in an RT zone and used for a transportation use must comply with all requirements in this By-law for a building on that lot.

10.60.30 Lot Requirements

10.60.30.10 Lot Area

(1) Minimum Lot Area
(A) If a zone label 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 label 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 metres.

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

If a zone label 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** in a **townhouse**.

### 10.60.30.20 Lot Frontage

(1) **Minimum Lot Frontage**

(A) If a zone label 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 label 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

(iii) a **townhouse** with every **dwelling unit** fronting directly on a **street**.

(C) The minimum **lot frontage** requirement for a **townhouse** in an RT zone cited in (A) or (B) above, may be reduced by 1.0 metres for each **dwelling unit** that does not have an individual private **driveway** leading directly to the front of it.

(D) Despite (A), (B) and (C) above, the minimum **lot frontage** in an RT zone is 30.0 metres if a **lot** has:

(i) a **townhouse** with one or more **dwelling units** not fronting directly on a **street**; or

(ii) a **non-residential building**.

### 10.60.30.40 Lot Coverage

(1) **Maximum Lot Coverage**

(A) 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**.

(B) If a **lot** in an RT zone is not in an area with a numerical value shown on the Lot Coverage Overlay Map, the **lot coverage** is not limited by this regulation.

### 10.60.40 Principal Building Requirements

#### 10.60.40.1 General

(1) **Application of this Article**

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

(2) **Number of Dwelling Units on a Lot**

If a zone label applying to a **lot** in 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.

### 10.60.40.10 Height

1. **Maximum Height**
   
The maximum height for a **building** or **structure** on a **lot** in an RT zone is:
   
   (A) the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map; or
   
   (B) if the **lot** is in an area with no numerical value following the letters 'HT' shown on the Height Overlay Map, 10.0 metres.

2. **Maximum Number of Storeys**
   
The maximum number of **storeys** permitted in a **building** on a **lot** in an RT zone is:
   
   (A) the numerical value following the letters 'ST' shown on the Height Overlay Map; and
   
   (B) if the **lot** is in an area with no numerical value following the letters 'ST' shown on the Height Overlay Map, the number of **storeys** is not limited by this regulation.

### 10.60.40.40 Floor Area

1. **Floor Space Index**
   
   In an RT zone, the maximum floor space index is:
   
   (A) the numerical value following the letter 'd' in the zone label; and
   
   (B) if the zone label does not include a 'd' value, the floor space index is not limited by this regulation.

### 10.60.40.70 Setbacks

1. **Minimum Front Yard Setback**
   
   If regulation 10.5.40.70 (1) does not apply, the 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**.

### 10.60.40.80 Separation

1. **Distance Between Main Walls of the Same Townhouse**
   
   In an RT zone, if a **townhouse** has **main walls** where a line projected outward at a right angle from one of the **main walls** intercepts another **main wall** of the same **building**, the minimum above ground separation distance between those **main walls** is:
   
   (A) 5.5 metres if there are no openings to **dwelling units** in one or more of those **main walls**; and

   (B) 11.0 metres if each **main wall** has an opening to a **dwelling unit**.
(2) Distance Between Residential Buildings on the Same Lot

In an RT zone, 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) 5.5 metres if there are no openings to dwelling units in the main wall of one or more of the buildings; and

(B) 11.0 metres if each main wall has an opening to a dwelling unit.

10.60.40.81 Separation Exemptions

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

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

(2) Additions to Lawfully Existing Buildings

In an RT zone, any addition or extension to a lawfully existing building referred to in regulation 10.60.40.81 (1) must comply with the minimum separation distance between main walls required by this By-law or be authorized by a Section 45 Planning Act minor variance.

10.80 Residential Multiple Dwelling Zone (RM)

10.80.1 General

10.80.1.10 Interpretation

(1) Application of This Section

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

10.80.20 Permitted Uses

10.80.20.10 Permitted Use

(1) Use – RM Zone

The following uses are permitted in an RM zone:

- Dwelling Unit in a permitted building type in Clause 10.80.20.40.
- Park.

10.80.20.20 Permitted Use - with Conditions

(1) Use with Conditions – RM Zone

The following uses are permitted in an RM zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 10.80.20.100:

- Ambulance Depot (1)
- Cogeneration Energy Production (2)
- Community Centre (3)
- Crisis Care Shelter (4)
- Day Nursery (5)
- Fire Hall (1)
- Group Home (6)
- Home Occupation (7)
- Library (3)
- Municipal Shelter (4)
Nursing Home (8)
Police Station (1)
Private Home Daycare (9)
Public Utility (10, 11)
Renewable Energy Production (2)
Residential Care Home (6)
Respite Care Facility (12)
Retirement Home (8)
Rooming House (13)
Secondary Suite (14)
Seniors Community House (15)
Transportation Use (16)

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:

(A) Detached House;
(B) Semi-Detached House;
(C) Duplex;
(D) Triplex, if the zone label, as shown on the Zoning By-law Map,
   (i) does not include a ‘u’ value, or
   (ii) has a numerical value of 3 or greater following the letter ‘u’ in the zone label;
(E) Fourplex, if the zone label, as shown on the Zoning By-law Map,
   (i) does not include a ‘u’ value, or
   (ii) has a numerical value of 4 or greater following the letter ‘u’ in the zone label; and
(F) Apartment Building, if the zone label, as shown on the Zoning By-law Map,
   (i) does not include a ‘u’ value, or
   (ii) has a numerical value of 5 or greater following the letter ‘u’ in the zone label.

10.80.20.100 Conditions

(1) Ambulance Depot, Fire Hall or Police Station
In an RM zone, an ambulance depot, a fire hall or a police station must be on a lot that:

   (A) fronts on a major street shown on the Policy Areas Overlay Map; or
   (B) fronts on a street which intersects a major street shown on the Policy Areas Overlay Map, and is not more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production
In an RM zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(3) Community Centre or Library
In an RM zone, a community centre or a library must be on a lot that has a front lot line or side lot line abutting:

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

(4) 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.

(5) **Day Nursery**
A *day nursery* in an RM zone must comply with the specific use regulations in Section 150.45.

(6) **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.

(7) **Home Occupation**
A *home occupation* in an RM zone must comply with the specific use regulations in Section 150.5.

(8) **Nursing Home or Retirement Home**
In an RM zone, a *nursing home*, *retirement home* or a combination of these two uses, must be on a lot that has a *front lot line* or *side lot line* abutting:

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

(9) **Private Home Daycare**
A children’s play area associated with a *private home daycare* in an RM zone must:

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

(10) **Public Utility**
In an RM zone, a *public utility* must not be:

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

(11) **Public Utility**
In an RM zone, a *public utility* must be enclosed by walls and comply with the *lot coverage*, minimum *building setback* and maximum *building* height for the RM zone if it is:

(A) an electrical transformer station; or
(B) a natural gas regulator station.

(12) **Respite Care Facility**
In an RM zone, a *respite care facility* must be in combination with a *nursing home* or *retirement home*.

(13) **Rooming House**
A rooming house in an RM zone must comply with the specific use regulations in Section 150.25.

(14) **Secondary Suite**
A *secondary suite* in an RM zone must comply with the specific use regulations in Section 150.10.

(15) **Seniors Community House**
A *seniors community house* in an RM zone must comply with the specific use regulations in Section 150.30.

(16) **Transportation Use**
A *building* or *structure* located on a *lot* in an RM zone and used for a *transportation use* must comply with all requirements in this By-law for a *building* on that *lot*.

10.80.30 Lot Requirements

10.80.30.10 Lot Area

(1) **Minimum Lot Area**
(A) If a zone label 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 a semi-detached house, a fourplex, or an 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 label 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 metres.

(2) Minimum Lot Area for Each Dwelling Unit in a Townhouse or Apartment Building

If a zone label 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 in a townhouse or apartment building.

10.80.30.20 Lot Frontage

(1) Minimum Lot Frontage

(A) If a zone label 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 label 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 with 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 a semi-detached house, a fourplex, or an apartment building is situated on two lots in an RM zone, the minimum lot frontage for each lot is 50% of the requirements cited in (A) and (B) above.

10.80.30.40 Lot Coverage

(1) Maximum Lot Coverage

(A) 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.

(B) If a lot in an RM zone is not in an area with a numerical value shown on the Lot Coverage Overlay Map, the lot coverage is not limited by this regulation.

10.80.40 Principal Building Requirements

10.80.40.1 General

(1) Application of this Article

The regulations in Article 10.80.40 apply to buildings or structures in an RM zone, other than ancillary buildings or structures which are subject to Article 10.5.60.

(2) Number of Dwelling Units on a Lot

If a zone label applying to a lot in 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.
(1) **Maximum Height**

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

(A) the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map; or
(B) if the lot is in an area with no numerical value following the letters 'HT' 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 building or structure.

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

In an RM zone, the maximum height of the exterior portion of main walls for a detached house or a semi-detached house is the higher of 7.0 metres above established grade or 2.5 metres less than the permitted maximum height in regulation 10.80.40.10 (1), for either (A) or (B) below:

(A) for no less than 60% of the total width of
   (i) all front main walls, and
   (ii) all rear main walls; or

(B) all side main walls,
   (i) for no less than 60% of the total width of the side main walls facing a side lot line that abuts a street, and
   (ii) for no less than 100% of the total width of the side main walls that do not face a side lot line that abuts a street.

(3) **Maximum Number of Storeys**

The maximum number of storeys permitted in a building on a lot in an RM zone is:

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

(4) **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.

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

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

**10.80.40.20 Building Length**

(1) **Maximum Building Length**

In 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 More than 12.0 Metres**

Despite regulation 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 regulation 10.80.40.20 (2), may not be more than 19.0 metres from the required front yard setback.

10.80.40.40 Floor Area

(1) Floor Space Index
In an RM zone, the maximum floor space index is:
(A) the numerical value following the letter 'd' in the zone label; and
(B) if the zone label does not include a 'd' value, the floor space index is not limited by this regulation.

10.80.40.50 Decks, Platforms and Amenities

(1) Platforms at or Above the Second Storey of a Detached House
In an RM zone, platforms such as a deck or balcony, with access from the second storey or above of a detached house must comply with the following:
(A) there may be no more than a total of four platforms, and no more than one on each of the front, rear and each side of the detached house; and
(B) the maximum area of each platform is 4.0 square metres.

(2) Platforms at or Above the Second Storey of a Semi-Detached House
In an RM zone, platforms such as a deck or balcony, with access from the second storey or above of a semi-detached house must comply with the following:
(A) there may be no more than a total of three platforms for each dwelling unit, and no more than one on each of the front, rear and exterior side of the dwelling unit;
(B) the maximum area of each platform is 4.0 square metres; and
(C) a platform at the rear of the dwelling unit is at least 1.8 metres from the common wall dividing the dwelling units, or a projection of that common wall to a lot line.

10.80.40.70 Setbacks

(1) Minimum Front Yard Setback
If regulation 10.5.40.70 (1) does not apply, the 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.

10.80.40.80 Separation
(1) Distance Between Main Walls of the Same Apartment Building
In an RM zone, if an apartment building has main walls where a line projected outward at a right angle from one of the main walls intercepts another main wall of the same building, the minimum above ground separation distance between those main walls is:
(A) 5.5 metres if there are no openings to dwelling units in one or more of those main walls; and
(B) 11.0 metres if each main wall has an opening to a dwelling unit.

(2) Distance Between Residential Buildings on the Same Lot
In an RM zone, 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) 5.5 metres if there are no openings to dwelling units in the main wall of one or more of the buildings; and
(B) 11.0 metres if each main wall has an opening to a dwelling unit.

10.80.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings
In an RM zone, if the lawful separation distance between the main walls of lawfully existing buildings or structures on the same lot, or between main walls of the same lawfully existing building or structure, is less than the minimum separation distance between main walls required by this By-law, that lawful separation distance is the permitted minimum separation distance for those main walls.

(2) Additions to Lawfully Existing Buildings
In an RM zone, any addition or extension to a lawfully existing building or structure referred to in regulation 10.80.40.81 (1) must comply with the minimum separation distance between main walls required by this By-law or be authorized by a Section 45 Planning Act minor variance.

Chapter 15 Residential Apartment

15.5 Regulations applying to the Residential Apartment Zone Category

15.5.1 General

15.5.1.10 Interpretation

(1) Application of General Regulations Section
The regulations in Section 15.5 apply to all lands, uses, buildings and structures in the Residential Apartment Zone category.

(2) Interpretation of the Residential Apartment Zone Symbol
The zone symbol on the Zoning By-law Map for zones in the Residential Apartment Zone category consists of the letters RA or RAC, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label
In the Residential Apartment Zone category, the letters following the zone symbol in the zone label have the following meaning:
(A) the letter ‘f’ and a numerical value indicates the minimum lot frontage required for a lot, in metres;
(B) the letter ‘a’ and a numerical value indicates the minimum lot area required for a lot, in square metres;
(C) the letters ‘au’ and a numerical value indicates the minimum lot area required for each dwelling unit on a lot, in square metres;
(D) the letter ‘u’ and a numerical value indicates the maximum number of dwelling units permitted on a lot;
(E) the letter ‘d’ and a numerical value indicates the maximum floor space index permitted for a lot.

15.5.20 Permitted Uses

15.5.20.1 General

(1) Existing School
   A lawfully existing public school or private school on a lot in the Residential Apartment Zone category is permitted on that lot, and:
   
   (A) any expansion or addition to the lawfully existing public school or private school building must comply with the requirements of Section 150.48 and the requirements for the zone in which the lot is located; and
   
   (B) the lawfully existing public school or private school may be replaced with a new school building that complies with the requirements of Section 150.48 and the requirements for the zone in which the lot is located.

(2) Existing Place of Worship
   A lawfully existing place of worship on a lot in the Residential Apartment Zone category is permitted on that lot, and:
   
   (A) any expansion or addition to the lawfully existing place of worship building must comply with the requirements of Section 150.50 and the requirements for the zone in which the lot is located; and
   
   (B) the lawfully existing place of worship may be replaced with a new place of worship building that complies with the requirements of Section 150.50 and the requirements for the zone in which the lot is located.

15.5.30 Lot Requirements

15.5.30.1 General

(1) Specific Lot Requirements
   Specific lot requirements are stated in each zone in the Residential Apartment Zone category.

15.5.30.11 Lot Area Exemptions

(1) Permitted Lot Area for Lawfully Existing Lots
   In the Residential Apartment Zone category, if the lawful lot area of a lawfully existing lot is less than the minimum lot area required by this By-law, that lawful lot area is the permitted minimum lot area required for that lawfully existing lot.

(2) Additions to Lawfully Existing Buildings
   Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 15.5.30.11 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

15.5.30.20 Lot Frontage

(1) Minimum Front Lot Line for a Residential Building
   In the Residential Apartment Zone category, a residential building may not be erected on a lot that does not have a front lot line of at least 3.5 metres, unless the lot:
   
   (A) abuts a lane with a minimum width of 6.0 metres; and
   
   (B) has a minimum of 3.5 metres of the rear lot line abutting the lane.
15.5.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

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

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 15.5.30.21 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

15.5.30.40 Lot Coverage

(1) Lot Coverage Exclusion for Permitted Encroachments

In the Residential Apartment Zone category, any part of a building or structure permitted to encroach into a required building setback in regulation 15.5.40.60 is not included in the calculation of lot coverage.

(2) Parts of Platforms that are Not Permitted Encroachments

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

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

(B) the lot area covered by these structures is no more than 5% of the lot area.

15.5.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings

In the Residential Apartment Zone category, if the area of a lot lawfully covered by lawfully existing buildings or structures is greater than the maximum lot coverage permitted by this By-law, the lawful percentage of the lot covered by those lawfully existing buildings or structures is the maximum permitted lot coverage for those lawfully existing buildings or structures on that lot.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to lawfully existing buildings or structures referred to in regulation 15.5.30.41 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

15.5.40 Principal Building Requirements

15.5.40.1 General

(1) Application of this Article

The regulations in Article 15.5.40 apply to buildings or structures in the Residential Apartment Zone category, other than ancillary buildings or structures which are subject to Article 15.5.60.

(2) Specific Building Requirements

Specific requirements for buildings and structures are stated in each zone in the Residential Apartment Zone category.

15.5.40.10 Height

(1) Determining the Height of a Building
In the Residential Apartment Zone category the height of a **building** is the distance between the established grade and the elevation of the highest point of the **building**.

(2) Height -- for Specified Structures

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

(A) 1.5 metres for
   (i) parapets for a **green roof**, and
   (ii) weather vanes; or

(B) 5.0 metres for
   (i) antennae,
   (ii) flagpoles, and
   (iii) satellite dishes.

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

In the Residential Apartment Zone category, the following equipment and **structures** located on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres, subject to complying with regulation 15.5.40.10 (4):

(A) equipment used for the functional operation of the **building**, such as electrical, utility, mechanical and ventilation equipment;

(B) **structures** or parts of the **building** used for the functional operation of the **building**, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and

(C) **structures** that enclose, screen or cover the elements listed in (A) and (B) above.

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

In the Residential Apartment Zone category, equipment, **structures** or parts of a **building** that exceed the maximum **building** height, as permitted by regulation 15.5.40.10 (3), must comply with the following:

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

(B) if located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(5) Height -- for Rooftop Outdoor Recreation, Safety and Wind Protection

In the Residential Apartment Zone category, unenclosed **structures** providing safety or wind protection to rooftop recreational uses may exceed the permitted maximum height for that **building** by 3.0 metres, if the **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

15.5.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings

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

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 15.5.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Alterations to the Roof of Lawfully Existing Buildings

Any alteration to the roof of a **lawfully existing building** referred to in regulation 15.5.40.11 (1) may be up to the permitted maximum height in regulation 15.5.40.11 (1).

15.5.40.40 Floor Area

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(1) Gross Floor Area Calculations for an Apartment Building
In the Residential Apartment Zone category, the gross floor area of an apartment building may be reduced by the area used for:
(A) parking, loading, and bicycle parking below established grade;
(B) loading and bicycle parking at established grade;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower facilities required by this By-law for required bicycle parking spaces;
(E) indoor amenity space required by this By-law;
(F) elevator shafts;
(G) garbage and recyclable material shafts;
(H) mechanical penthouse; and
(I) exit stairwells in the building.

(2) Floor Space Index Calculation
In the Residential Apartment Zone category, the floor space index:
(A) is the result of the gross floor area of a building divided by the area of the lot; and
(B) for an apartment building, is the result of the gross floor area, minus the areas of an apartment building listed in regulation 15.5.40.40 (1), divided by the area of the lot.

15.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings
In the Residential Apartment Zone category, if the lawful gross floor area of lawfully existing buildings on a lot results in a floor space index greater than the maximum floor space index permitted by this By-law, the floor space index resulting from those lawfully existing buildings on that lot is the maximum permitted floor space index for those lawfully existing buildings on that lot.

15.5.40.50 Decks, Platforms and Amenities

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

(2) Platforms in Relation to Building Setbacks
In the Residential Apartment Zone category, a platform without main walls, such as a deck, porch, balcony or similar structure, attached to or within 0.3 metres of a building, must comply with the building setback requirements for the zone.

15.5.40.60 Permitted Encroachments

(1) Platforms
Despite regulation 15.5.40.50 (2), in the Residential Apartment Zone category, a platform with no main walls, such as a deck, porch, balcony or similar structure, attached to or less than 0.3 metres from a building, may encroach into a required building setback for that building as follows:
(A) a platform with a floor no higher than the first floor of the building may encroach into a required building setback the lesser of 9.5 metres or 50% of the required building setback for the yard in which it is located, and if it is located in the front yard or rear yard, it may be no closer to a side lot line than the required side yard setback; and
(B) a platform with a floor that is higher than the first floor of the building may encroach into the required building setback the lesser of 2.5 metres or 50% of the required building setback for the yard in which it is located, and if it is located in the front yard or rear yard, it may be no closer
(2) Canopies and Awnings
In the Residential Apartment Zone category, a canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with the requirements of regulation 15.5.40.60 (1), may encroach into a required building setback for the building, as follows:

(A) if it is above a platform which complies with the requirements of regulation 15.5.40.60 (1), the roof, canopy, awning or similar structure may encroach into the required building setback to the same extent as the platform it is covering; and

(B) if it is not above a platform, it may encroach into a required building setback the lesser of 9.5 metres or 50% of the required building setback for the yard in which it is located, if it is:

(i) covering a driveway, walkway or outdoor amenity space adjacent to an entrance to the building; and

(ii) located in the front yard or rear yard, it may be no closer to a side lot line than the required side yard setback.

(3) Exterior Stairs, Access Ramp and Elevating Device
In the Residential Apartment Zone category, exterior stairs, access ramps and elevating devices may encroach into a required building setback as follows:

(A) exterior stairs providing access to a building or structure may encroach into a required building setback, if the stairs are:

(i) no longer than 1.5 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure;

(ii) no wider than 2.0 metres; and

(iii) no closer to a lot line than 0.6 metres;

(B) an uncovered ramp providing access to a building or structure may encroach into a required building setback, if the ramp is:

(i) no longer than 12 horizontal units for each 1.0 vertical unit above grade at the point where the ramp meets the building or structure;

(ii) no wider than 1.5 metres for each sloped ramp segment; and

(iii) no closer to a lot line than 0.6 metres; and

(C) an elevating device providing access to a building or structure may encroach into a required building setback, if the elevating device:

(i) elevates no higher than the first floor of the building;

(ii) has a maximum area of 3.0 square metres; and

(iii) is no closer to a lot line than 0.6 metres.

15.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings
In the Residential Apartment Zone category, if the lawful building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:

(A) a front lot line, that lawful building setback is the minimum front yard setback for that building or structure;

(B) a rear lot line, that lawful building setback is the minimum rear yard setback for that building or structure; and

(C) a side lot line, that lawful building setback is the minimum side yard setback for that building or structure.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 15.5.40.71 (1) must comply with the minimum building setbacks required in this By-law or be authorized by a
Section 45 Planning Act minor variance.

15.5.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings
In the Residential Apartment Zone category, if the lawful separation distance between the main walls of lawfully existing buildings or structures on the same lot, or between main walls of the same lawfully existing building or structure, is less than the minimum separation distance between main walls required by this By-law, that lawful separation distance is the permitted minimum separation distance for those main walls.

(2) Additions to Lawfully Existing Buildings – Separation Between Main Walls
Any addition or extension to a lawfully existing building or structure referred to in regulation 15.5.40.81 (1) must comply with the minimum separation distance between main walls required by this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Permitted Separation from Other Zones for Lawfully Existing Buildings
In the Residential Apartment Zone category, if the lawful separation distance between a lawfully existing apartment building and a lot in an RD or RS zone is less than the minimum separation distance required by this By-law, that lawful separation distance is the permitted minimum separation distance between that apartment building and that lot.

(4) Additions to Lawfully Existing Buildings – Separation from Other Zones
Any addition or extension to a lawfully existing apartment building referred to in regulation 15.5.40.81 (3) must comply with the minimum separation distance from a lot in an RD or RS zone required by this By-law or be authorized by a Section 45 Planning Act minor variance.

15.5.50 Yards

15.5.50.10 Landscaping

(1) Landscaping Requirement for an Apartment Building
A lot in the Residential Apartment Zone category must have:
   (A) a minimum of 50% of the area of the lot for landscaping; and
   (B) a minimum of 50% of the landscaping area required in (A), above, must be soft landscaping.

(2) Landscaping Requirement for an Apartment Building Abutting a Lot in the Residential Zone Category
A lot in the Residential Apartment Zone category must have a minimum 1.5 metre wide strip of land for soft landscaping along any part of a lot line abutting a lot in the Residential Zone category.

(3) Landscaping Exclusion for Permitted Encroachments
In the Residential Apartment Zone category, the calculation of landscaping or soft landscaping required by regulation 15.5.50.10 (1) excludes the area of a required building setback covered by any part of a building or structure permitted to encroach into a required building setback by Clause 15.5.40.60.

(4) Swimming Pools or Similar Ancillary Structures Containing Water Deemed to be Soft Landscaping for Specified Regulations
In the Residential Apartment Zone category, for the calculation of soft landscaping required by regulation 15.5.50.10 (1), the area of soft landscaping may include the water surface area of swimming pools or other ancillary structures used to hold water, such as fountains or artificial ponds.

15.5.60 Ancillary Buildings and Structures

15.5.60.1 General

(1) Application of this Article
The regulations in Article 15.5.60 apply to ancillary buildings or structures in the Residential Apartment Zone category, if they are ancillary to dwelling units or residential buildings.

(2) Living Accommodation in Ancillary Buildings
An ancillary building in the Residential Apartment Zone category may not be used for living accommodation.

(3) Food or Sanitary Facilities in Ancillary Buildings
An ancillary building in the Residential Apartment Zone category may have:

(A) food preparation facilities and sanitary facilities if the ancillary building or structure is for indoor amenity space required by this By-law; or

(B) either food preparation facilities or sanitary facilities, but not both, if the ancillary building or structure is for any other purpose.

(4) Ancillary Building or Structure Construction Timing
In the Residential Apartment Zone category, no above-ground part of an ancillary building or structure may be erected prior to the erection of the main walls and completion of the roof of a residential building on the same lot.

15.5.60.20 Setbacks

(1) Front Yard Setback for Ancillary Buildings or Structures
The minimum front yard setback for an ancillary building or structure in the Residential Apartment Zone category is the minimum front yard setback required for the residential building on the lot.

(2) Rear Yard Setback for Ancillary Buildings or Structures
The minimum rear yard setback for an ancillary building or structure in the Residential Apartment Zone category is:

(A) 0.3 metres, if its:
   (i) height is 2.5 metres or less; and
   (ii) gross floor area is 10 square metres or less; or

(B) 50% of its height, if its:
   (i) height is greater than 2.5 metres; or
   (ii) gross floor area is greater than 10 square metres; except

(C) on a through lot, despite (A) and (B) above, if a residential 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 residential building on the adjacent lot.

(3) Side Yard Setback for Ancillary Buildings or Structures
In the Residential Apartment Zone category, the minimum side yard setback for an ancillary building or structure located:

(A) in a side yard, is the same as the minimum side yard setback required for the residential building on the lot;

(B) in a rear yard and less than 4.0 metres from the residential building on the lot, is the minimum side yard setback required for the residential building; and

(C) in a rear yard and 4.0 metres or more from the residential building on the lot:
   (i) is 0.3 metres, if its:
      (a) height is 2.5 metres or less and
      (b) gross floor area is 10 square metres or less, or
   (ii) is 50% of its height, if its:
      (a) height is greater than 2.5 metres or
      (b) gross floor area is greater than 10 square metres; except
   (iii) on a corner lot, despite (i) and (ii) above, if a residential 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 residential building on the adjacent lot.

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

Despite 15.5.60.20 (2), in the Residential Apartment 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, with a total water surface area greater than 3.0 square metres, is:

(A) 4.5 metres, and
(B) 7.5 metres, if it is on a through lot.

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

Despite 15.5.60.20 (3), in the Residential Apartment 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, with a total water surface area greater than 3.0 square metres, is:

(A) 4.5 metres, and
(B) if it is on a corner lot, 7.5 metres from the side lot line abutting a street.

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

In the Residential Apartment Zone category, ancillary building setback regulations apply to all parts of an ancillary building or structure above and below grade, excluding footings.

15.5.60.30 Separation

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

In the Residential Apartment Zone category, an ancillary building or structure with a height greater than 2.5 metres, or a gross floor area greater than 10 square metres, must be at least 4.0 metres from a residential building on the same lot.

(2) Separation of Swimming Pools or Similar Ancillary Structures Containing Water from RD Zones

In the Residential Apartment Zone category, 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.

15.5.60.40 Height

(1) Determining the Height of Ancillary Buildings or Structures

In the Residential Apartment Zone category, the height of an ancillary building or structure is the distance between the average grade and 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 Apartment Zone category is:

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

15.5.60.50 Floor Area

(1) Inclusion in Floor Space Index

The gross floor area of all ancillary buildings on a lot in the Residential Apartment Zone category is included for the purpose of calculating the total gross floor area and floor space index for the lot.

(2) Maximum Floor Area of Ancillary Buildings or Structures Close to Residential Buildings

In the Residential Apartment Zone category, the maximum gross floor area of an ancillary building or
structure located less than 4.0 metres from the residential building on the lot is 10.0 square metres.

15.5.60.70 Lot Coverage

(1) Lot Coverage Requirement for Ancillary Buildings and Structures
An ancillary building or structure on a lot in the Residential Apartment Zone category, other than 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 may not exceed 10% of the lot area.

(2) Lot Coverage Requirement for Swimming Pools or Similar Ancillary Structures Containing Water
In the Residential Apartment Zone category, the water surface area of unenclosed swimming pools or other ancillary structures used to hold water, such as fountains or artificial ponds:
(A) is not included in the calculation of lot coverage; and
(B) the water surface area may not exceed 15% of the lot area.

15.5.75 Energy Regulations

15.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device
In the Residential Apartment Zone category, a device producing renewable energy or cogeneration energy on a lot may not be located in a front yard or a side yard that abuts a street.

(2) Cogeneration Energy Device
In the Residential Apartment Zone category, a cogeneration energy device must be located inside a permitted building.

(3) Geo-energy Device
In addition to the requirements of regulation 15.5.75.1 (1), in the Residential Apartment Zone category any above-ground part of a geo-energy device must comply with the requirements in this By-law for:
(A) a building or structure on the lot; and
(B) if located on a lot with a residential building, an ancillary building or structure on the lot.

(4) Solar Energy Device
In the Residential Apartment Zone category, a photovoltaic solar energy device or a thermal solar energy device:
(A) located on a building,
   (i) must comply with the building setback requirements, and
   (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and
(B) if ground mounted, must comply with the requirements in this By-law for
   (i) a building or structure on the lot, and
   (ii) if located on a lot with a residential building, an ancillary building or structure on the lot.

(5) Wind Energy Device
In the Residential Apartment Zone category, a wind energy device must comply with the following:
(A) there may be no more than one wind energy device on a lot;
(B) all parts of a wind energy device on a lot must comply with the building setback requirements for a building on the lot; and
(C) no part of a wind energy device may be higher than,
(i) 3.0 metres above the permitted maximum height for the building, if
   (a) the permitted maximum height for the building is less than 24.0 metres, or
   (b) the lot abuts a lot in the Residential Zone category, and
(ii) in all other cases, 5.0 metres above the permitted maximum height for the building.

15.5.80 Parking

15.5.80.1 General

(1) Use of Required Parking Space
   A parking space required by this By-law for a use in the Residential Apartment Zone category must be available for the use for which it is required.

(2) Bachelor Unit Size for Parking Space Calculation
   For the purpose of calculating parking space requirements in the Residential Apartment Zone category, the bachelor dwelling unit parking rate applies if the bachelor dwelling unit has an interior floor area of 45 square metres or less. If the bachelor dwelling unit has an interior floor area greater than 45 square metres the one bedroom parking rate applies.

15.5.80.10 Location

(1) Location of Required Parking Spaces
   In the Residential Apartment Zone category, a parking space must be located on the same lot as the use for which the parking space is required.

(2) Parking Space Location for Apartment Buildings
   A minimum of 50% of the required parking spaces for an apartment building in the Residential Apartment Zone category, other than required visitor parking spaces, must be located in a building or underground structure.

(3) Commercial Vehicle Parking Restriction
   A parking space on a lot in the Residential Apartment Zone category may be used for a commercial vehicle, if:
      (A) an owner or tenant of a dwelling unit on the lot is the owner or operator of the vehicle; and
      (B) it is located within a wholly enclosed building.

(4) Commercial Vehicle Parking Not Permitted in Yards
   A parking space located outside of a building in the Residential Apartment Zone category may not be used for:
      (A) commercially licensed vehicles;
      (B) construction vehicles;
      (C) dump trucks;
      (D) agricultural vehicles;
      (E) repair or towing vehicles;
      (F) tracked vehicles;
      (G) vehicles with a traction engine;
      (H) vehicles designed to run only on rails; and
      (I) vehicles equipped with more than six wheels, excluding spare wheels.

15.5.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
In the Residential Apartment Zone category, a parking space not located in a building or structure must be at least 0.5 metres from a lot line.

15.5.80.30 Separation

(1) Parking Space Separation from Apartment Building
   In the Residential Apartment Zone category, a surface parking space must be at least 3.0 metres from any main wall of an apartment building.

15.5.100 Access to Lot

15.5.100.1 General

(1) Driveway Width
   In the Residential Apartment Zone category, a driveway must have:
   (A) a minimum width of 3.0 metres for each lane; and
   (B) a maximum total width of 6.0 metres.

(2) Driveway Access to Apartment Buildings
   If an apartment building in the Residential Apartment 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.

15.5.150 Waste

15.5.150.1 General

(1) Waste and Recyclable Materials Storage
   In the Residential Apartment Zone category all storage of waste and recyclable materials must be within a wholly enclosed building.

15.10 Residential Apartment Zone (RA)

15.10.1 General

15.10.1.10 Interpretation

(1) Application of This Section
   The regulations in Section 15.10 apply to all lands, uses, buildings and structures in an RA zone.

15.10.20 Permitted Uses

15.10.20.10 Permitted Use

(1) Use – RA Zone
   The following uses are permitted in an RA zone:
   Ambulance Depot
   Dwelling Unit in a permitted building type in Clause 15.10.20.40.
   Fire Hall
   Park
15.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions – RA Zone
The following uses are permitted in an RA zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 15.10.20.100:
- Cogeneration Energy Production (1)
- Community Centre (2)
- Crisis Care Shelter (3)
- Day Nursery (4)
- Group Home (5)
- Home Occupation (6)
- Library (2)
- Municipal Shelter (3)
- Nursing Home (7)
- Private Home Daycare (8)
- Public Utility (9, 10)
- Renewable Energy Production (1)
- Residential Care Home (5)
- Respite Care Facility (11)
- Retail Store (12)
- Retirement Home (7)
- Rooming House (13)
- Secondary Suite (14)
- Seniors Community House (15)
- Transportation Use (16)

15.10.20.40 Permitted Building Types

(1) Permitted Building Types – RA Zone
In an RA zone, a dwelling unit is permitted in the following residential building types:
   (A) Apartment Building.

15.10.20.100 Conditions

(1) Cogeneration Energy Production or Renewable Energy Production
In an RA zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(2) Community Centre or Library
In an RA zone, a community centre or a library must be on a lot that abuts a major street shown on the Policy Areas Overlay Map.

(3) 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.

(4) Day Nursery
A day nursery in an RA zone must comply with the specific use regulations in Section 150.45.

(5) 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.

(6) Home Occupation
A home occupation in an RA zone must comply with the specific use regulations in Section 150.5.
(7) **Nursing Home or Retirement Home**

In an RA zone, a **nursing home**, **retirement home** or a combination of these two uses, must be on a **lot** that has a **front lot line** or **side lot line** abutting:

(A) a **major street** shown on the Policy Areas Overlay Map; or

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

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(8) **Private Home Daycare**

A children’s play area associated with a **private home daycare** in an RA zone must:

(A) fenced; and

(B) be no closer to a **lot line** abutting a **street** than 6.0 metres.

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(9) **Public Utility**

In an RA zone, a **public utility** must not be:

(A) a sewage treatment plant;

(B) a water filtration plant; or

(C) an above ground water reservoir.

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(10) **Public Utility**

In an RA zone, a **public utility** must be enclosed by walls and comply with the **lot coverage**, **minimum building setback** and **maximum building height** for the RA zone if it is:

(A) an electrical transformer station; or

(B) a natural gas regulator station.

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(11) **Respite Care Facility**

In an RA zone, a **respite care facility** must be in combination with a **nursing home** or **retirement home**.

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(12) **Retail Stores in Apartment Buildings**

In an RA zone, a **retail store** may be located on a **lot** with 100 or more **dwelling units** in one or more **apartment buildings**, and is subject to the following:

(A) there may be only one **retail store** in an **apartment building**;

(B) it must be located inside the **apartment building**;

(C) it may not be above the first **storey** of the **apartment building**;

(D) access to the **retail store** must be from within the **apartment building**, unless it is on a **lot** that has a **front lot line** or a **side lot line** abutting a major **street** shown on the Policy Areas Overlay Map;

(E) there may be no outside display of goods;

(F) the **interior floor area** of the **retail store** may not exceed 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; and

(G) the calculation of total **interior floor area** may be reduced by the area used for the same **building areas** as provided for in the calculation of **gross floor area** for an **apartment building**.

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(13) **Rooming House**

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

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(14) **Secondary Suite**

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

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(15) **Seniors Community House**

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

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(16) **Transportation Use**

A **building** or **structure** located on a **lot** in an RA zone and used for a **transportation use** must comply with all requirements in this By-law for a **building** on that **lot**.

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15.10.30 Lot Requirements

15.10.30.10 Lot Area

(1) Minimum Lot Area

(A) If a zone label 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 label 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 metres.

(2) Minimum Lot Area for Each Dwelling Unit in an Apartment Building

If a zone label 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 in an apartment building.

15.10.30.20 Lot Frontage

(1) Minimum Lot Frontage

(A) If a zone label 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 label in an RA zone does not include an ‘f’ value, the minimum lot frontage is 24.0 metres.

15.10.30.40 Lot Coverage

(1) Maximum Lot Coverage

(A) 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.

(B) If a lot in an RA zone is not in an area with a numerical value shown on the Lot Coverage Overlay Map, the lot coverage is not limited by this regulation.

15.10.40 Principal Building Requirements

15.10.40.1 General

(1) Application of this Article

The regulations in Article 15.10.40 apply to buildings or structures in an RA zone, other than ancillary buildings or structures which are subject to Article 15.5.60.

(2) Number of Dwelling Units on a Lot

If a zone label applying to a lot in an RA 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.

15.10.40.10 Height

(1) Maximum Height

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

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

(B) if the lot is in an area with no numerical value following the letters 'HT' shown on the Height Overlay Map, 24.0 metres.
(2) Maximum Number of Storeys
The maximum number of storeys permitted in a building on a lot in an RA zone is:
(A) the numerical value following the letters ‘ST’ shown on the Height Overlay Map; and
(B) if the lot is in an area with no numerical value following the letters ‘ST’ shown on the Height Overlay Map, the number of storeys is not limited by this regulation.

15.10.40.40 Floor Area

(1) Floor Space Index
In an RA zone, the maximum floor space index is:
(A) the numerical value following the letter ‘d’ in the zone label; and
(B) if the zone label does not include a ‘d’ value, the floor space index is not limited by this regulation.

15.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space for an Apartment Building
In 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.

15.10.40.70 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 Yard Setbacks and Side Yard Setbacks in Relation to the Height of an Apartment Building
Despite regulation 15.10.40.70 (2) and (3), for any portion of an apartment building in an RA zone with a height greater than 11.0 metres, the minimum rear yard setback and side yard setbacks for each portion of the building above 11.0 metres in height must be increased by 1.0 metres for each additional 2.0 metres, or part thereof, above 11.0 metres in height.

15.10.40.80 Separation

(1) Distance Between Main Walls of the Same Residential Building
In the RA zone, if a residential building has main walls where a line projected outward at a right angle from one of the main walls intercepts another main wall of the same building, the minimum above ground separation distance between those main walls is:
(A) for any portion of the building with a height equal to or less than 11.0 metres,
(i) 5.5 metres if there are no openings to dwelling units in one or more of those main walls, and
(ii) 11.0 metres if each main wall has an opening to a dwelling unit; and
(B) for any portion of the building with a height greater than 11.0 metres, a distance equal to the
average height of those main walls.

(2) Distance Between Residential Buildings on the Same Lot

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

(A) for any portion of the buildings with a height equal to or less than 11.0 metres,
   (i) 5.5 metres if there are no openings to dwelling units in the main wall of one or more of the buildings, and
   (ii) 11.0 metres if each main wall has an opening to a dwelling unit; and

(B) for any portion of the buildings with a height greater than 11.0 metres, a distance equal to the average height of those buildings.

(3) Apartment Building Separation from RD and RS Zones

An apartment building in an RA zone must be at least 15.0 metres from a lot in an RD or RS zone.

15.20 Residential Apartment Commercial (RAC)

15.20.1 General

15.20.1.10 Interpretation

(1) Application of This Section

The regulations in Section 15.20 apply to all lands, uses, buildings and structures in an RAC zone.

15.20.20 Permitted Uses

15.20.20.10 Permitted Use

(1) Use – RAC Zone

The following uses are permitted in an RAC zone:

- Ambulance Depot
- Dwelling Unit in a permitted building type in Clause 15.20.40.
- Fire Hall
- Park
- Police Station

15.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions – RAC Zone

The following uses are permitted in an RAC zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 15.20.20.100:

- Art Gallery (1)
- Artist Studio (1)
- Automated Banking Machine (2)
- Club (1)
- Cogeneration Energy Production (3)
- Community Centre (4)
- Crisis Care Shelter (5)
- Custom Workshop (1)
- Day Nursery (6)
- Eating Establishment (1, 7)
- Education Use (1)
- Financial Institution (1)
- Group Home (8)
15.20.20.40 Permitted Building Types

(1) Permitted Building Types – RAC Zone

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

(A) Apartment Building.

15.20.20.100 Conditions

(1) Art Gallery and Other Commercial and Non-Residential Uses that are Subject to Condition 1

In an RAC zone, an art gallery, artist studio, club, custom workshop, eating establishment, education use, financial institution, medical office, office, performing arts studio, personal service shop, pet services, production studio, recreation use, religious education use, retail store, retail service, service shop, take-out eating establishment or a veterinary hospital may be located on a lot with 100 or more dwelling units in one or more apartment buildings, subject to the following:

(A) they may not be above the first storey of the building they are in;
(B) in total, they may not occupy more than 50% of the ground floor area in each apartment building on the lot;
(C) in total, they may not exceed 400 square metres for the first 100 dwelling units on the lot, which may be increased by 50 square metres for each additional 25 dwelling units in excess of 100, to a maximum of 1,000 square metres;
(D) the interior floor area of an individual establishment may not exceed 200 square metres; and
(E) the calculation of total interior floor area may be reduced by the area used for:

(i) the same building areas as provided for in the calculation of gross floor area for an apartment building; and
(ii) in the case of an eating establishment or a take-out eating establishment, the areas
used for associated offices, storage rooms, and staff rooms located in the basement.

(2) Automated Banking Machine
In an RAC zone, an automated banking machine must be located in a building.

(3) Cogeneration Energy Production or Renewable Energy Production
In an RAC zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(4) Community Centre or Library
In an RAC zone, a community centre or a library must:
(A) be located on a lot that abuts a major street shown on the Policy Areas Overlay Map; or
(B) not exceed 600 square metres in interior floor area.

(5) Crisis Care Shelter or Municipal Shelter
In an RAC 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) Day Nursery
A day nursery in an RAC zone must comply with the specific use regulations in Section 150.45.

(7) Eating Establishment – Other Uses
In an RAC zone, other uses with an eating establishment:
(A) may occupy a maximum of 6% of the total interior floor area of the eating establishment to a maximum of 12 square metres; and
(B) must be entirely within the building where the eating establishment is located.

(8) Group Home or Residential Care Home
In an RAC zone, a group home or a residential care home must comply with the specific use regulations in Section 150.15.

(9) Home Occupation
A home occupation in an RAC zone must comply with the specific use regulations in Section 150.5.

(10) Market Garden
In an RAC zone, a market garden may not be used for the growing and harvesting of shrubs or trees for the purpose of sale.

(11) Nursing Home or Retirement Home
In an RAC zone, a nursing home, retirement home or a combination of these two uses, must be on a lot that has a front lot line or side lot line abutting:
(A) a major street shown on the Policy Areas Overlay Map; or
(B) a street which intersects a major street shown on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within a distance of 80 metres from that intersection.

(12) Outdoor Sales or Display
In an RAC zone, the outdoor sale or display of goods or commodities is subject to the following:
(A) it must be in combination with a commercial establishment in a building on the same lot;
(B) the goods or commodities may not be displayed closer to a rear lot line or a side 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;
(C) the area for the outdoor sale or display of goods or commodities may not be greater than 10% of the interior floor area of the commercial establishment it is combined with; and
(D) the area for the outdoor sale or display of goods or commodities must not be located on land required for parking, loading or driveways.
(13) Private Home Daycare
A children's play area associated with a private home daycare in an RAC zone must:
(A) fenced; and
(B) be no closer to a lot line abutting a street than 6.0 metres.

(14) Respite Care Facility
In an RAC zone, a respite care facility must be in combination with a nursing home or retirement home.

(15) Rooming House
A rooming house in an RAC zone must comply with the specific use regulations in Section 150.25.

(16) Secondary Suite
A secondary suite in an RAC zone must comply with the specific use regulations in Section 150.10.

(17) Seniors Community House
A seniors community house in an RAC zone must comply with the specific use regulations in Section 150.30.

(18) Transportation Use
A building or structure located on a lot in an RAC zone and used for a transportation use must comply with all requirements in this By-law for a building on that lot.

(19) Public Utility
In an RAC zone, a public utility must not be:
(A) a sewage treatment plant;
(B) a water filtration plant; or
(C) an above ground water reservoir.

(20) Public Utility
In an RAC zone, a public utility must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the RAC zone if it is:
(A) an electrical transformer station; or
(B) a natural gas regulator station.

15.20.30 Lot Requirements

15.20.30.10 Lot Area

(1) Minimum Lot Area

(A) If a zone label applying to a lot in an RAC 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 label in an RAC zone does not include an ‘a’ value, the minimum lot area, in square metres, is the minimum required lot frontage multiplied by 30 metres.

(2) Minimum Lot Area for Each Dwelling Unit in an Apartment Building
If a zone label applying to a lot in an RAC 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 in an apartment building.

15.20.30.20 Lot Frontage

(1) Minimum Lot Frontage

(A) If a zone label applying to a lot in an RAC 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 label in an RAC zone does not include an ‘f’ value, the minimum lot frontage is 24.0 metres.

15.20.30.40 Lot Coverage

(1) Maximum Lot Coverage

(A) If a lot in an RAC 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.

(B) If a lot in an RAC zone is not in an area with a numerical value shown on the Lot Coverage Overlay Map, the lot coverage is not limited by this regulation.

15.20.40 Principal Building Requirements

15.20.40.1 General

(1) Application of this Article

The regulations in Article 15.20.40 apply to buildings or structures in an RAC zone, other than ancillary buildings or structures which are subject to Article 15.5.60.

(2) Number of Dwelling Units on a Lot

If a zone label applying to a lot in an RAC 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.

15.20.40.10 Height

(1) Maximum Height

The maximum height for a building or structure on a lot in an RAC zone is:

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

   (B) if the lot is in an area with no numerical value following the letters 'HT' shown on the Height Overlay Map, 24.0 metres.

(2) Maximum Number of Storeys

The maximum number of storeys permitted in a building on a lot in an RAC zone is:

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

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

15.20.40.40 Floor Area

(1) Floor Space Index

In an RAC zone, the maximum floor space index is:

   (A) the numerical value following the letter ‘d’ in the zone label; and

   (B) if the zone label does not include a ‘d’ value, the floor space index is not limited by this regulation.

15.20.40.50 Decks, Platforms and Amenities

(1) Amenity Space for an Apartment Building

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

15.20.40.70 Setbacks

(1) Minimum Front Yard Setback
The minimum front yard setback in an RAC zone is 6.0 metres.

(2) Minimum Rear Yard Setback
The minimum rear yard setback in an RAC zone is 7.5 metres.

(3) Minimum Side Yard Setback
The minimum side yard setback in an RAC zone is 7.5 metres.

(4) Rear Yard Setbacks and Side Yard Setbacks in Relation to the Height of an Apartment Building
Despite regulation 15.20.40.70 (2) and (3), for any portion of an apartment building in an RAC zone with
a height greater than 11.0 metres, the minimum rear yard setback and side yard setbacks for each
portion of the building above 11.0 metres in height must be increased by 1.0 metres for each additional
2.0 metres, or part thereof, above 11.0 metres in height.

15.20.40.80 Separation

(1) Distance Between Main Walls of the Same Residential Building
In the RAC zone, if a residential building has main walls where a line projected outward at a right angle
from one of the main walls intercepts another main wall of the same building, the minimum above
ground separation distance between those main walls is:

(A) for any portion of the building with a height equal to or less than 11.0 metres,
   (i) 5.5 metres if there are no openings to dwelling units in one or more of those main walls, and
   (ii) 11.0 metres if each main wall has an opening to a dwelling unit; and
(B) for any portion of the building with a height greater than 11.0 metres, a distance equal to the
    average height of those main walls.

(2) Distance Between Residential Buildings on the Same Lot
In the RAC zone, if two or more residential buildings are located on the same lot, the minimum above
ground separation distance between the main walls of the respective buildings is:

(A) for any portion of the buildings with a height equal to or less than 11.0 metres,
   (i) 5.5 metres if there are no openings to dwelling units in the main wall of one or more of the
       buildings, and
   (ii) 11.0 metres if each main wall has an opening to a dwelling unit; and
(B) for any portion of the buildings with a height greater than 11.0 metres, a distance equal to the
    average height of those buildings.

(3) Apartment Building Separation from RD and RS Zones
An apartment building in an RAC zone must be at least 15.0 metres from a lot in an RD or RS zone.

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 Symbol
The zone symbol on the Zoning By-law Map for zones in the Commercial Zone category consists of the letters CL, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label
In the Commercial Zone category, the numerical value following the zone symbol in the zone label indicates the maximum floor space index of all land uses on a lot.

30.5.20 Permitted Uses

30.5.20.1 General

(1) Existing School
A lawfully existing public school or private school on a lot in the Commercial Zone category is permitted on that lot, and:

(A) any expansion or addition to the lawfully existing public school or private school building must comply with the requirements of Section 150.48 and the requirements for the zone in which the lot is located; and

(B) the lawfully existing public school or private school may be replaced with a new school building that complies with the requirements of Section 150.48 and the requirements for the zone in which the lot is located.

(2) Existing Place of Worship
A lawfully existing place of worship on a lot in the Commercial Zone category is permitted on that lot, and:

(A) any expansion or addition to the lawfully existing place of worship building must comply with the requirements of Section 150.50 and the requirements for the zone in which the lot is located; and

(B) the existing lawfully existing place of worship may be replaced with a new place of worship building that complies with the requirements of Section 150.50 and the requirements for the zone in which the lot is located.

30.5.40 Principal Building Requirements

30.5.40.1 General

(1) Building Requirements
Additional building requirements are in each zone in the Commercial Zone category.

30.5.40.10 Height

(1) Determining the Height of Buildings in Commercial Zones
In the Commercial Zone category, the height of a building is the distance between the average elevation of grade along the front lot line and the elevation of the highest point of the building, or in the case of a corner lot the average elevation of grade along all lot lines that abut a street and the elevation of the highest point of the building.

(2) Determining the Height of Structures in Commercial Zones
In the Commercial Zone category, the height of a **structure**, that is not a **building**, is the distance between the **average grade** around the **structure** and the elevation of the highest point of the **structure**.

(3) **Height for Specified Structures on a Building**

In the Commercial Zone category, the following **structures**, on the roof of a **building**, may exceed the permitted maximum height for that **building** by 5.0 metres:

- (A) antennae;
- (B) flagpoles; and
- (C) satellite dishes.

(4) **Height of Elements for Functional Operation of a Building**

In the Commercial Zone category, the following equipment and **structures** on the roof of a **building** may exceed the permitted maximum height for that **building** by 5.0 metres:

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

(5) **Limits on Elements for Functional Operation of a Building**

In the Commercial Zone category, equipment, **structures** or parts of a **building** that exceed the maximum **building** height, as permitted by regulation 30.5.40.10 (4), must comply with the following:

- (A) the total area of equipment, **structures**, and parts of a **building** may cover no more than 30% of the area of the roof, measured horizontally; and
- (B) any equipment, **structures**, and parts of a **building** are located within 6.0 metres of a **lot line** abutting a **street**, their total horizontal dimension, measured parallel to the **street**, may not exceed 20% of the width of the **building's main walls** facing that **street**.

(6) **Height of Rooftop Outdoor Recreation, Safety and Wind Protection Elements**

In the Commercial Zone category, unenclosed **structures** on the roof of a **building** providing safety or wind protection to rooftop recreational uses may exceed the permitted maximum height for that **building** by 3.0 metres, if these **structures** are no closer than 2.0 metres from the interior face of any **main wall**.

(7) **Height of Green Roof Elements**

If a **building** in a Commercial Zone category has a **green roof**, a parapet wall used for wind protection for the **green roof** may exceed the maximum **building** height by 2.0 metres.

### 30.5.40.40 Floor Area

(1) **Gross Floor Area Calculations for a Non-residential Building in a Commercial Zone Category**

In a Commercial Zone category the **gross floor area** of a **non-residential building** may be reduced by the area used for:

- (A) parking, loading, and bicycle parking below **established grade**;
- (B) loading and bicycle parking at **established grade**;
- (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the **basement**;
- (D) shower facilities required by this By-law for required **bicycle parking spaces**;
- (E) elevator shafts;
- (F) mechanical penthouse; and
- (G) exit stairwells in the **building**.

(2) **Floor Space Index Calculation for a Non-residential Building in a Commercial Zone Category**

In a Commercial Zone category the floor space index for a **non-residential building** is the result of the **gross floor area** minus the areas listed in regulation 30.5.40.40 (1) divided by the area of the **lot**.
30.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings
In the Commercial Zone category, if the lawful gross floor area of lawfully existing buildings on a lot results in a floor space index greater than the maximum floor space index permitted by this By-law, the lawful floor space index resulting from those lawfully existing buildings is the maximum permitted floor space index for those lawfully existing buildings on that lot.

30.5.40.60 Permitted Encroachments

(1) Canopies and Awnings
In the Commercial Zone category, a canopy, awning or similar structure, with or without structural support, may encroach into a required building setback that abuts a street, if no part of the canopy, awning or similar structure is more than 5.0 metres above the elevation of the grade directly below it.

30.5.40.70 Setbacks

(1) Building or Structure to be Set Back from a Lane
A building or structure in the Commercial Zone category may be:
(A) no closer than 3.0 metres from the original centreline of a lane if the lot abutting the other side of the lane is not in a Residential Zone category or Open Space Zone category; and
(B) no closer than 3.5 metres from the original centreline of a lane if the lot abutting the other side of the lane is in a Residential Zone category or Open Space Zone category.

30.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings from a Lane
In the Commercial Zone category, if a lawfully existing building is set back from the original centreline of a lane less than the minimum distance required by this By-law, the minimum required building setback from the original centreline of the lane is the existing minimum building setback from the original centreline of the lane for that lawfully existing building.

(3) Additions Above Lawfully Existing Buildings in Relation to a Lane
The minimum set back of a building from the original centreline of a lane for any addition or extension above a lawfully existing building or structure referred to in regulation 30.5.40.71 (1) is the minimum set back of a building from the original centreline of the lane permitted by regulation 30.5.40.71 (1).

30.5.75 Energy Regulations

30.5.75.1 General

(1) Renewable Energy and Cogeneration Energy Device - Location Restriction
In the Commercial Zone category, a device producing renewable energy or cogeneration energy on a lot may not be located in a front yard or a side yard that abuts a street.

(2) Renewable Energy Device - Height Requirements
In the Commercial Zone category, a photovoltaic solar energy device or a thermal solar energy device:
(A) located on a building,
   (i) must comply with the minimum building setback requirements, and
   (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and
(B) if ground mounted, must comply with the requirements in this By-law for a building or structure
(3) Wind Energy Device - Setbacks

In the Commercial Zone category, a wind energy device must comply with the building setback requirements for a building on the lot.

(4) Wind Energy Device - Height

In the Commercial Zone category, no part of a wind energy device may be higher than 3.0 metres above the permitted maximum height for a building on the lot.

(5) Geo-Energy Requirements

In the Commercial Zone category, any above-ground part of a geo-energy device must comply with the requirements in this By-law for a building or structure on the lot.

(6) Cogeneration Energy Device

In the Commercial Zone category, a cogeneration energy device must be located inside a permitted building.

30.5.80 Parking

30.5.80.1 General

(1) Use of Required Parking Space

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

30.5.80.10 Location

(1) Location of Required Parking Spaces

A parking space must be located on the same lot as the use for which the parking space is required.

30.20 Commercial Local Zone (CL)

30.20.1 General

30.20.1.10 Interpretation

(1) Application of This Section

The regulations in Section 30.20 apply to all lands, uses, buildings and structures in a CL zone.

(2) Medical Office

For the purposes of the CL Zone, a medical office includes a medical clinic.

30.20.20 Permitted Uses

30.20.20.10 Permitted Use

(1) Use – CL Zone

In a CL zone, the following uses are permitted:

- Ambulance Depot
- Community Centre
- Education Use
- Financial Institution
- Fire Hall
- Library
30.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions – CL Zone
   In a CL zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 30.20.20.100:
   - Automated Banking Machine (14)
   - Cogeneration Energy Production (17)
   - Day Nursery (7)
   - Eating Establishment (2, 10)
   - Municipal Shelter (9)
   - Outdoor Sales or Display (6)
   - Place of Worship (8)
   - Public Utility (15,18)
   - Recreation Use (1)
   - Renewable Energy Production (17)
   - Retail Store (5)
   - Secondary Suite (19)
   - Take-out Eating Establishment (2)
   - Transportation Use (16)
   - Vehicle Fuel Station (3,12)
   - Vehicle Service Shop (3,13)

30.20.20.100 Conditions

(1) Recreation Use
   In a CL zone, all recreation uses must be located within a wholly enclosed building.

(2) Eating Establishment or Take-out Eating Establishment Use
   In a CL zone,
      (A) the maximum interior floor area on a lot for all eating establishments and take-out eating establishments is 400 square metres; and
      (B) the calculation of total interior floor area may be reduced by the area used for:
         (i) the same building areas as provided for in the calculation of gross floor area; and
         (ii) the areas used for associated offices, storage rooms, and staff rooms located in the basement or on a different storey than the eating establishment or take-out eating establishment.

(3) Vehicle Fuel Station or Vehicle Service Shop Location
   In a CL zone, a vehicle fuel station and vehicle service shop must be located on a lot that abuts a major street shown on the Policy Areas Overlay Map found in Section 995.15.

(5) Retail Store- Eating Space
   In a CL zone, a retail store may have a maximum of 10.0 square metres used for the consumption of food or beverage by patrons.

(6) Outdoor Sales or Displays
   In a CL zone, the outdoor sale or display of goods or commodities is subject to the following:
(A) it must be in combination with another permitted use;

(B) goods or commodities may be displayed no closer to a side lot line or a rear lot line than the greater of:

   (i) 3.0 metres; or
   (ii) the minimum building setback for the yard in which the goods or commodities are located;

(C) the cumulative area for the outdoor sale or display of goods or commodities may be no more than 30.0 square metres; and

(D) the area for the outdoor sale or display of goods or commodities may not be located on areas required for parking, loading, driveways or landscaping.

(7) Day Nursery
In a CL zone, a day nursery must comply with the specific use regulations in Section 150.45.

(8) Place of Worship
In a CL zone, a place of worship must comply with the specific use regulations in Section 150.50.

(9) Municipal Shelter
In a CL zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(10) Eating Establishment
In a CL zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(12) Vehicle Fuel Station
In a CL zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(13) Vehicle Service Shop
In a CL zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(14) Automated Banking Machine
In a CL zone, an automated banking machine must be located in a building.

(15) Public Utility
In a CL zone, a public utility must not be:

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

(16) Transportation Use
A building or structure located on a lot in an CL zone and used as a transportation use must comply with all the requirements in this By-law for a building on that lot.

(17) Renewable Energy Production or Cogeneration Energy Production
In a CL zone renewable energy production or cogeneration energy production must be with a permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(18) Public Utility
In an CL zone, a public utility, must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the CL zone if it is:

   (A) an electrical transformer station; or
   (B) a natural gas regulator station.

(19) Secondary Suite
In the CL zone, a secondary suite must comply with the specific use regulations in Section 150.10.

30.20.30 Lot Requirements

30.20.30.1 General

(1) Commercial Development Parcel- Compliance in its Entirety
In a CL zone, if two or more lots are developed together the regulations of this By-law apply respectively to the parts of the lot within the CL zone.

### 30.20.30.20 Lot Frontage

1. **Minimum Lot Frontage for Lots in a CL zone**
   In a CL zone, the minimum lot frontage is 9.0 metres.

### 30.20.30.21 Lot Frontage Exemptions

1. **Permitted Lot Frontage for Lawfully Existing Lots**
   In the CL zone, if the lawful lot frontage of a lawfully existing lot is less than the minimum lot frontage required by this By-law, that lawful lot frontage is the permitted minimum lot frontage required for that lawfully existing lot.

2. **Additions to Lawfully Existing Buildings**
   Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 30.20.30.21 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 30.20.30.40 Lot Coverage

1. **Maximum Lot Coverage**
   If a lot in a CL zone is in an area with a numerical value shown on the Lot Coverage Overlay Map found in Section 995.20, that numerical value is the maximum lot coverage, as a percentage of the lot area.

### 30.20.30.41 Lot Coverage Exemptions

1. **Permitted Lot Coverage for Lawfully Existing Buildings**
   In the CL zone, if the area of a lot lawfully covered by lawfully existing buildings or structures is greater than the maximum lot coverage permitted by this By-law, the lawful percentage of the lot covered by those lawfully existing buildings or structures is the maximum permitted lot coverage for those lawfully existing buildings or structures on that lot.

2. **Additions to Lawfully Existing Buildings**
   Any addition or extension to lawfully existing buildings or structures referred to in regulation 30.20.30.41 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

### 30.20.40 Principal Building Requirements

#### 30.20.40.1 General

1. **Use in Wholly Enclosed Building Condition**
   In a CL zone all uses must be located within a wholly enclosed building, except for outdoor sales and display, park, parking spaces, and loading spaces.

#### 30.20.40.10 Height

1. **Maximum Height - CL Zone**
   In a CL zone, the maximum height of a building or structure on a lot is:
   
   (A) the numerical value, in metres, following the letters "HT" shown on the Height Overlay Map found in
Section 995.5; or
(B) 10.0 metres, where no numerical value is shown on the Height Overlay Map found in Section 995.5.

30.20.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings
In the CL zone, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height in this By-law, that lawful height is the permitted maximum height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings -- Height
Any addition or extension to a lawfully existing building or structure referred to in regulation 30.20.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

30.20.40.40 Floor Area

(1) Floor Space Index
In the CL zone, the number following the zone symbol on the zone label is the total maximum floor space index for all uses on the lot.

30.20.40.60 Permitted Encroachments

(1) Permitted Encroachments- Decks, Porches, and Balconies
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 building, may encroach into a required building setback for the building as follows:

(A) in a rear yard, a platform with a floor no higher than the first floor of the building may encroach into the required rear yard setback the lesser of 2.5 metres or 50% of the required rear yard setback, if it is no closer to a side lot line than the greater of:
   (i) 0.3 metres, or
   (ii) a distance equal to the vertical distance between the highest part of the floor of the platform and the average elevation of grade at the applicable side of the platform;

(B) in a rear yard, a platform with a floor that is higher than the first floor of the building may encroach into the required rear yard setback, the lesser of 2.5 metres or 50% of the required rear yard setback, if it is no closer to a side lot line than a distance equal to:
   (i) the required rear yard setback; plus
   (ii) the vertical distance between the first floor of the building and the average elevation of the ground along the building's rear main wall; and

(C) in a side yard, a platform with a floor not higher than the first floor of the building may encroach into the required side yard setback a maximum of 1.5 metres, if it is at least 0.3 metres from the side lot line; and

(D) in a side yard, a platform with a floor that is higher than the first floor of the building may encroach into the required side yard setback a maximum of 1.5 metres if the side yard abuts a street, but may not encroach into a required side yard setback if the side yard does not abut a street.

(2) Permitted Encroachments- Canopies and Awnings
In a CL zone a canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with the requirements of regulation 30.20.40.60 (1), may encroach into a required building setback for the building as follows:

(A) if above a platform which complies with the requirements of regulation 30.20.40.60 (1), the roof,
canopy, awning or similar structure may encroach into the required building setback to the same extent as the platform it is above; and

(B) if it is not above a platform, the canopy, awning or similar structure may encroach into a required building setback:

(i) in a front yard that does not abut a street or a rear yard, the lesser of 2.5 metres or 50% of the required yard setback, if it is no closer to a side lot line than the required side yard setback;
(ii) in a side yard that does not abut a street, a maximum of 1.5 metres, if it is at least 0.3 metres from the side lot lines; and
(iii) in a front yard or side yard that abuts a street, in compliance with regulation 30.5.40.60 (1).

(3) Permitted Encroachments- Exterior Stairs, Access Ramp and Elevating Device

In a CL zone:

(A) exterior stairs providing access to a building or structure may encroach into a required building setback, if the stairs:

(i) are no longer than 1.5 horizontal units for each 1.0 vertical unit above 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 building or structure may encroach into a required building setback, if the ramp:

(i) is no longer than 12 horizontal units for each 1.0 vertical unit above 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 a lot line than 0.3 metres; and

(C) an elevating device providing access to a building or structure may encroach into a required building setback, if that the elevating device:

(i) elevates no higher than the first floor of the building;
(ii) has a maximum area of 3.0 square metres; and
(iii) is not closer to a 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 building, may encroach into a required building 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 building may encroach into a required building setback a maximum of 0.6 metres, if it is at least 0.3 metres from all lot lines;

(B) a chimney breast, on a building, may encroach into a required building setback a maximum of 0.6 metres, if it:

(i) is no wider than 2.0 metres; and
(ii) is at least 0.3 metres from all lot lines.

(6) Permitted Encroachments- Window Projections

In a CL zone a bay window, box window, or other window projection from a main wall of a building, which increases floor area or enclosed space 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 building may encroach into a required building setback a maximum of 0.9 metres, if they are at least 0.3 metres from all lot lines.

(8) Permitted Encroachments - Equipment
In a CL zone on a building the following wall mounted equipment may encroach into specified required building setbacks as follows, if they are at least 0.3 metres from all lot lines:

(A) an air conditioner may encroach into a required rear yard setback 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 building setback a maximum of 0.9 metres;
(C) an antennae or pole used to hold an antennae may encroach into a required rear yard setback or side yard setback a maximum of 0.9 metres; and
(D) a vent or pipe may encroach into a required rear yard setback or side yard setback a maximum of 0.6 metres.

(9) Permitted Encroachments – Required Angular Planes
In a CL zone, encroachments are not permitted into an angular plane required by this By-law.

30.20.40.70 Setbacks

(1) Front Yard Setback Averaging
In a CL zone:

(A) where a lot is located beside one lot in a CL zone, and that abutting lot has an existing 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;
(B) where a lot is located between two abutting lots in a CL zone, each with an existing 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; and
(C) in all other cases the minimum required front yard setback is 10.5 metres.

(2) Rear Yard Setback and Side Yard Setback
In a CL zone:

(A) a building or structure must be set back:
   (i) at least 7.5 metres from a rear lot line; or
   (ii) where the rear lot line abuts a lane, at least 7.5 metres from the lot line of the lot abutting the lane on the opposite side of the lane;
(B) where the main wall of a building does not have windows or openings, the main wall must be set back a minimum of 3.0 metres from a side lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category; and
(C) where the main wall of a building with windows or openings, the main wall must be set back a minimum of 5.5 metres from a side lot line that is not adjacent to a street or lane.

(3) Rear Angular Plane
In a CL zone, if a lot abuts an O, ON or OR zone, or a Residential Zone category or Residential Apartment Zone category, every building on the lot in the CL zone must not penetrate a 45 degree angular plane measured, if there is no rear lane, from 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.

(4) Dormers
In a CL zone, a dormer projecting from the surface of the roof, may not have any wall of the dormer closer to a lot line than the required building setback.
30.20.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings
In the CL zone, if the building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:

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

(2) Required Setbacks for Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 30.20.40.71 (1) must comply with the minimum building setbacks required by this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Required Rear Angular Plane for Lawfully Existing Buildings
In the CL zone, if a lawfully existing building or structure penetrates the rear angular plane required by this By-law, the lawfully existing building or structure does not have to comply with the rear angular plane requirements.

(4) Required Rear Angular Plane for Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 30.20.40.71 (3) must comply with the rear angular plane required by this By-law or be authorized by a Section 45 Planning Act minor variance.

30.20.40.80 Separation

(1) Separation
For a lot in a CL zone, all main walls of a building:

(A) where a main wall of the building has windows and a line projected at a right angle from one of these main walls intercepts another main wall with windows on the same lot, the minimum above ground distance between the main walls must be 11.0 metres; and

(B) where a main wall of the building has windows facing another main wall on the same lot which does not have windows and a line projected at a right angle from one of these main walls intercepts the other main wall, the minimum above ground distance between them must be 5.5 metres.

30.20.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings
In the CL zone, if the lawful separation distance between the main walls of lawfully existing buildings on the same lot, or between main walls of the same lawfully existing building, is less than the minimum separation distance between main walls required by this By-law, that lawful separation distance is the permitted minimum separation distance for those main walls.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building referred to in regulation 30.20.40.81 (1) must comply with the minimum separation distance between main walls required by this By-law or be authorized by a Section 45 Planning Act minor variance.

30.20.50 Yards

30.20.50.10 Landscaping
(1) **Soft Landscaping Requirement When Abutting a Lot in a Residential Zone or Residential Apartment Zone Category**

If a lot in a CL zone abuts a lot in a Residential Zone category or Residential Apartment Zone category, a minimum 1.5 metre wide strip of soft landscaping must be provided along the part of the lot line abutting the lot in the Residential Zone category or Residential Apartment Zone category.

(2) **Abutting a Lot in a Residential or Residential Apartment Zone - Fence Requirement**

In a CL 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 a lot line abutting the lot in the Residential Zone category or Residential Apartment Zone category.

### 30.20.80 Parking

#### 30.20.80.20 Setbacks

(1) **Parking Space and Drive Aisle Location**

In a CL zone, a parking space and a drive aisle must not be located in any required front yard or side yard setback that abuts a street.

(2) **Parking Area Separation From 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 soft landscaping.

(3) **Parking Space to be Set Back from a Lot Line**

A parking space not located in a building or structure must be set back a minimum of 0.5 metres from a lot line.

### 30.20.90 Loading

#### 30.20.90.10 Location

(1) **Loading Space Location**

A loading space must not be located in:

(A) a front yard;

(B) a side yard abutting a street; or

(C) any yard that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

#### 30.20.90.11 Location Exemptions

(1) **Loading Space Location Exemption**

If a lawfully existing building does not comply with the loading space location requirements of regulation 30.20.90.10 (1), that lawful loading space is exempt from the requirements of regulation 30.20.90.10 (1).

#### 30.20.90.40 Access to Loading Space

(1) **Access to Loading Space - Restrictions**

In a CL Zone:

(A) where a lot abuts a lane, access to a loading space must be from the lane; and

(B) where a corner lot does not abut a lane and it has at least one lot line abutting a street which is not a major street as shown on the Policy Areas Overlay Map found in Section 995.15, 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
In a CL zone, where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, access to the loading space may not be through any part of a lot in the Residential Zone category or Residential Apartment Zone category.

(3) Access Through a Main Wall to a Loading Space
A loading space located in a building may not have its access through a main wall that faces a street.

30.20.90.41 Access to Loading Space Exemptions

(1) Access Through a Main Wall to a Loading Space Exemption
If a lawfully existing building has a loading space access in a main wall that does not comply with the loading space location requirements of regulation 30.10.90.40 (3), that lawful loading space is exempt from the requirements of regulation 30.10.90.40 (3).

30.20.100 Access to Lot

30.20.100.10 Location

(1) Driveway Access to a Lot - Landscaping Area Exemption
In a CL zone, a driveway providing direct access from a street or lane may cross a required landscaping area.

(2) Parking Areas adjacent to a Lot in a Residential Zone
In a CL zone, where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, access to a parking space must not be through any part of a lot in the Residential Zone category or Residential Apartment Zone category.

30.20.150 Waste

30.20.150.1 General

(1) Waste and Recyclable Materials Storage

(A) In a CL zone, for a building constructed pursuant to a building permit issued three years after the date of passage of this by-law, all waste and recyclable material must be stored in a wholly enclosed building;

(B) where the waste and recyclable material is stored in an ancillary building, the ancillary building:

(i) must not be located in a side yard that abuts a street or in a front yard; and

(ii) must be set back at least:

(a) 7.5 metres from a lot in the Residential Zone category, the Residential Apartment Zone Category, and the Open Space Zone Category; and

(b) 1.0 metres from all other side lot lines and rear lot lines.

Chapter 40 Commercial Residential

40.5 Regulations applying to the Commercial Residential Zone Category

40.5.1 General

40.5.1.10 Interpretation
1. **Application of General Regulations Section**
   The regulations in Section 40.5 apply to all lands, uses, buildings and structures in the Commercial Residential Zone category.

2. **Interpretation of the Commercial Residential Zone Symbol**
   The zone symbol on the Zoning By-law Map for zones in the Commercial Residential Zone category consists of the letters CR, indicating the primary land use permitted in the respective zone.

3. **Interpretation of the Zone Label**
   In the Commercial Residential Zone category, the letters following the zone symbol in the zone label have the following meaning:
   - (A) a numerical value representing the maximum permitted floor space index of all land uses on a lot and may be followed by one or both of the following in brackets:
     - (i) the letter ‘c’ 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, indicated in Regulation 40.5.1.10 (4), that applies to a lot.

4. **Interpretation of the Development Standard Set Symbol**
   The Development Standard Set symbol (SS) in the zone label on the Zoning By-law Map identifies the Development Standard Set with a numerical value that corresponds to a specific set of development standards that may control one or all of the following requirements:
   - (A) 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 or Side Lot Line abutting a street;
   - (F) Maximum Building Angular Plane from a Rear Lot Line;
   - (G) Minimum Landscaping Area on a Lot; and
   - (H) Maximum Building Height.

### 40.5.20 Permitted Uses

#### 40.5.20.1 General

1. **Existing Place of Worship**
   A lawfully existing place of worship on a lot in the Commercial Residential Zone category is permitted on that lot, and:
   - (A) any expansion or addition to the lawfully existing place of worship building must comply with the requirements of Section 150.50 and the requirements for the zone in which the lot is located; and
(B) the existing legally existing place of worship may be replaced with a new place of worship building that complies with the requirements of Section 150.50 and the requirements for the zone in which the lot is located.

40.5.40 Principal Building Requirements

40.5.40.1 General

(1) **Building Requirements**

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

40.5.40.10 Height

(1) **Determining the Height of Buildings in Commercial Residential Zones**

In the Commercial Residential Zone category, the height of a building is the distance between the average elevation of 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 of the building.

(2) **Determining the Height of Structures in Commercial Residential Zones**

In the Commercial Residential Zone category, the height of a structure, that is not a building, is the distance between the average grade and the elevation of the highest point of the structure.

(3) **Height of Specified Structures on a Building**

In the Commercial Residential Zone category, the following structures on the roof of a building, may exceed the permitted maximum height for that building by 5.0 metres:

(A) antennae;
(B) flagpoles; and
(C) satellite dishes.

(4) **Height of Elements for Functional Operation of a Building**

In the Commercial Residential Zone category, equipment and structures located on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres, subject to regulation 40.5.40.10 (5):

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

(5) **Limits on Elements for Functional Operation of a Building**

In the Commercial Residential Zone category, equipment, structures or parts of a building exceeding the maximum building height, as permitted by regulation 40.5.40.10 (4), must comply with the following:

(A) the total area of all equipment, structures, or parts of a building may cover no more than 30% of the area of the roof, measured horizontally; and
(B) if any equipment, structures, or parts of a building are located within 6.0 metres of a lot line abutting a street, their total horizontal dimension, measured parallel to the street, may not exceed 20% of the width of the building’s main walls facing that street.

(6) **Height of Rooftop Outdoor Recreation, Safety and Wind Protection Elements**

In the Commercial Residential Zone category, unenclosed structures providing safety or wind protection to rooftop recreational uses may exceed the permitted maximum height for that building by 3.0 metres, if the structures are no closer than 2.0 metres from the interior face of any main wall.

(7) **Height of Buildings and Structures - Green Roof Elements**
In a Commercial Residential Zone category, a parapet wall used for wind protection for a green roof may exceed the permitted maximum building height by 2.0 metres.

40.5.40.40 Floor Area

(1) Gross Floor Area Calculations for a Non-residential Building in a Commercial Residential Zone Category
In a Commercial Residential Zone category the gross floor area of a non-residential building may be reduced by the area used for:
   (A) parking, loading, and bicycle parking below established grade;
   (B) loading and bicycle parking at established grade;
   (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
   (D) shower facilities required by this By-law for required bicycle parking spaces;
   (E) elevator shafts;
   (F) mechanical penthouse; and
   (G) exit stairwells in the building.

(2) Floor Space Index Calculation for a Non-residential Building in a Commercial Residential Zone Category
In a Commercial Residential Zone category the floor space index for a non-residential building is the result of the gross floor area minus the areas listed in regulation 40.5.40.40 (1) divided by the area of the lot.

(3) Gross Floor Area Calculations for a Mixed Use Building in a Commercial Residential Zone Category
In a Commercial Residential Zone category the gross floor area of a mixed use building may be reduced by the area used for:
   (A) parking, loading, and bicycle parking below established grade;
   (B) loading and bicycle parking at established grade;
   (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
   (D) shower facilities required by this By-law for required bicycle parking spaces;
   (E) amenity space required by this By-law;
   (F) elevator shafts;
   (G) garbage and recyclable material shafts;
   (H) mechanical penthouse; and
   (I) exit stairwells in the building.

(4) Floor Space Index Calculation for a Mixed Use Building in a Commercial Residential Zone Category
In a Commercial Residential Zone category the floor space index for a mixed use building is the result of the gross floor area minus the areas listed in regulation 40.5.40.40 (3) divided by the area of the lot.

(5) Gross Floor Area Calculations for an Apartment Building in a Commercial Residential Zone Category
In a Commercial Residential Zone category the gross floor area of an apartment building may be reduced by the area used for:
   (A) parking, loading, and bicycle parking below established grade;
   (B) loading and bicycle parking at established grade;
   (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
   (D) shower facilities required by this By-law for required bicycle parking spaces;
   (E) amenity space required by this By-law;
   (F) elevator shafts;
   (G) garbage and recyclable material shafts;
   (H) mechanical penthouse; and
   (I) exit stairwells in the building.

(6) Floor Space Index Calculation for an Apartment Building in a Commercial Residential Zone Category
In a Commercial Residential Zone category the floor space index for an apartment building is the result
of the gross floor area minus the areas listed in regulation 40.5.40.40 (5) divided by the area of the lot.

(7) Gross Floor Area Calculations for a Townhouse in a Commercial Residential Zone Category

In a Commercial Residential Zone category the gross floor area of a townhouse may be reduced by the area used for:

(A) basement, unless the elevation of the established grade is higher than the average elevation of grade along the rear main wall of the townhouse by 2.5 metres or more, in which case 50% of the basement area is included in the gross floor area calculation; and
(B) required parking.

(8) Gross Floor Area Calculations Regarding Attic Space in a Townhouse in a Commercial Residential Zone Category

In a Commercial Residential Zone category the gross floor area of a townhouse includes the floor area above the main wall located within a townhouse attic, if it is accessed by means of a permanent stair case or is habitable space.

(9) Floor Space Index Calculation for a Townhouse Building in a Commercial Residential Zone Category

In a Commercial Residential Zone category the floor space index for a townhouse is the result of the gross floor area:

(A) minus the areas listed in regulation 40.5.40.40 (1);
(B) plus the areas listed in regulation 40.5.40.40 (2) divided by the area of the lot.

40.5.40.60 Permitted Encroachments

(1) Canopies and Awnings

In the Commercial Residential Zone category, a canopy, awning or similar structure, with or without structural support, may encroach into a required building setback that abuts a street, if no part of the canopy, awning or similar structure is located more than 5.0 metres above the elevation of the grade directly below it.

40.5.40.70 Setbacks

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

A building or structure in the Commercial Residential Zone category must be:

(A) no closer than 3.0 metres from the original centreline of a lane if the lot abutting the other side of the lane is not in a Residential Zone category or Open Space Zone category; and
(B) no closer than 3.5 metres from the original centreline of a lane if the lot abutting the other side of the lane is in a Residential Zone category or Open Space Zone category.

40.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Building from a Lane

In the Commercial Residential Zone category, if a lawfully building is set back from the original centreline of the lane less than the minimum building setback from the original centreline of the lane required by this By-law, that lawfully existing building setback from the original centreline of the lane is the minimum for that lawfully existing building.

(2) Additions Above Lawfully Existing Building Set Back from a Lane

The minimum set back of a building from the original centreline of a lane for any addition or extension above a lawfully existing building or structure referred to in regulation 40.5.40.71 (1) is the minimum set back of a building from the original centreline of the lane permitted by regulation 40.5.40.71 (1).

40.5.75 Energy Regulations
40.5.75.1 General

(1) **Renewable Energy and Cogeneration Energy Device - Location Restriction**
In the Commercial Residential Zone category, a device producing renewable energy or cogeneration energy on a lot may not be located in a front yard or a side yard that abuts a street.

(2) **Renewable Energy Device - Height Requirements**
In the Commercial Residential Zone category, a photovoltaic solar energy device or a thermal solar energy device:
   (A) located on a building,
      (i) must comply with the building setback requirements, and
      (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and
   (B) if ground mounted, must comply with the requirements in this By-law for a building or structure on the lot.

(3) **Wind Energy Device - Setbacks**
In the Commercial Residential Zone category, a wind energy device must comply with the building setback requirements for a building on the lot.

(4) **Wind Energy Device - Height**
In the Commercial Residential Zone category, no part of a wind energy device may exceed the permitted maximum height for a building as follows:
   (A) on a lot that abuts a lot in a Residential Zone category or Residential Apartment Zone category, by 3.0 metres;
   (B) the permitted maximum height of a building is less than 25.0 metres, by 3.0 metres; and
   (C) in all other cases, by 5.0 metres.

(5) **Geo-energy Requirements**
In the Commercial Residential Zone category, any above-ground part of a geo-energy device must comply with the requirements in this By-law for a building or structure on the lot.

(6) **Cogeneration Device**
In the Commercial Residential Zone category, a cogeneration energy device must be located inside a permitted building.

40.5.80 Parking

40.5.80.1 General

(1) **Use of Required Parking Space**
A parking space required by this By-law for a use in the Commercial Residential Zone category must be available for the use for which it is required.

40.5.80.10 Location

(1) **Location of Required Parking Spaces**
A parking space must be located on the same lot as the use for which the parking space is required.

40.10 Commercial Residential Zone (CR)

40.10.1 General

40.10.1.10 Interpretation
(1) **Application of This Section**
The regulations in Section 40.10 apply to all lands, uses, **buildings** and **structures** in a CR zone.

(2) **CR Zone Development Standard Sets**
In the CR zone there are three Development Standard Sets: SS1, SS2 and SS3, which form part of the zone label.

(3) **Medical Office**
For the purposes of the CR Zone, a medical office includes a medical clinic.

### 40.10.20 Permitted Uses

#### 40.10.20.10 Permitted Use

(1) **Use – CR Zone**

(A) In a CR zone, the following uses are permitted under the letter ‘c’ in the zone label referred to in regulation 40.5.1.10 (3)(A)(i):

- Ambulance Depot
- Art Gallery
- Artist Studio
- Automated Banking Machine
- Community Centre
- Courts of Law
- **Education Use**
- Financial Institution
- Fire Hall
- Library
- Medical Office
- **Museum**
- Office
- **Park**
- Passenger Terminal
- Performing Arts Studio
- Personal Service Shop
- Pet Services
- Police Station
- Post-Secondary School
- Production Studio
- Religious Education Use
- **Retail Store**
- Software Development and Processing
- Veterinary Hospital

(B) In a CR zone, the following uses are permitted under the letter ‘r’ in the zone label referred to in regulation 40.5.1.10(3)(A)(ii):

- Dwelling Unit in a permitted building type
- Hospice Care Home
- Nursing Home
- Religious Residence
- Residential Care Home
- Respite Care Facility
- Retirement Home
- Student Residence

#### 40.10.20.20 Permitted Use - with Conditions

(1) **Use with Conditions – CR Zone**
(A) In a CR zone, the following uses are permitted under the letter 'c' in the zone label if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100:

- Amusement Arcade (23, 46, 47)
- Cabaret (1)
- Club (1)
- Cogeneration Energy Production (56)
- Custom Workshop (16)
- Day Nursery (27)
- Drive Through Facility (12,37)
- Eating Establishment (1,33)
- Entertainment Place of Assembly (1, 46)
- Funeral Home (24)
- Hotel (4)
- Laboratory (15)
- Nightclub (2)
- Outdoor Patio (21)
- Outdoor Sales or Display (20)
- Place of Assembly (1, 29)
- Place of Worship (14,40)
- Private School (28)
- Public Parking (7,8,9,10,11)
- Public School (28)
- Public Utility (54,57)
- Recreation Use (1, 46)
- Renewable Energy Production (56)
- Retail Service (17)
- Service Shop (6)
- Secondary Suite (58)
- Sports Place of Assembly (46)
- Take-out Eating Establishment (1)
- Transportation Use (55)
- Vehicle Dealership (26)
- Vehicle Fuel Station (13,38)
- Vehicle Service Shop (13,39)
- Vehicle Washing Establishment (25)

(B) In a CR zone, the following uses are permitted under the letter 'r' in the zone label if they comply with the specific conditions associated with the reference number(s) for each use in Clause 40.10.20.100:

- Crisis Care Shelter (43)
- Group Home (30)
- Home Occupation (45)
- Municipal Shelter (31)
- Private Home Daycare (44)
- Rooming House (48)
- Seniors Community House (42)
- Tourist Home (22)

40.10.20.40 Permitted Building Types

1. Permitted Building Types

   In a CR zone the following building types are permitted:

   A) Apartment Building on a lot that has a zone label with an 'r' value referred to in regulation 40.5.1.10 (3)(A)(ii) that is greater than 0.0;

   B) Mixed Use Building on a lot that has a zone label with an 'r' value referred to in regulation 40.5.1.10 (3)(A)(ii) that is greater than 0.0;
(C) Non-residential Building; and
(D) Townhouse:
   (i) on a lot that has a zone label with an ‘r’ value referred to in regulation 40.5.1.10 (3)(A)(ii) that is greater than 0.0; and
   (ii) on a lot that is not located in Policy Area 3 (PA3) or Policy Area 4 (PA4) as shown on the Policy Overlay Map found in Section 995.15.

40.10.20.41 Permitted Building Types Exemptions

(1) Existing Dwelling Units in Non-permitted Building Types

   A dwelling unit in a lawfully existing detached house, semi-detached house duplex, triplex, fourplex, or townhouse in Policy Area 3 or Policy Area 4 on a lot in a CR zone is permitted on that lot and any expansion or addition to those lawfully existing buildings must comply with the requirements for the respective building type in the RM zone and the RT zone in the case of a townhouse, or be authorized by a Section 45 Planning Act minor variance.

40.10.20.100 Conditions

(1) Cabaret, Club, Eating Establishment, Entertainment Place of Assembly, Place of Assembly, Recreation Use and Take-out Eating Establishment

   (A) In a CR zone the total interior floor area of all cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments on a lot within 6.1 metres of a lot in a Residential Zone category or Residential Apartment Zone category and on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) may not exceed 400 square metres;

   (B) the calculation in the total interior floor area may be reduced by the area used for:
      (i) the same building areas as provided for in the calculation of gross floor area; and
      (ii) in the case of an eating establishment or take-out eating establishment, the areas used for associated offices, storage rooms, and staff rooms located in the basement or on a different storey than the eating establishment or take-out eating establishment; and

   (C) The interior floor area size restriction in regulation (A) above does not apply to cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments, if the lot is more than 6.1 metres from a lot in a Residential Zone category or Residential Apartment Zone category or in a CR zone subject to Development Standard Set 3 (SS3).

(2) Nightclub

   In a CR zone, a nightclub is subject to the following:
      (A) the zone label must have a ‘c’ value of 4.0 or greater;
      (B) it must be located on the first floor;
      (C) it must be on a lot that does not abut a lot in a Residential Zone category or Residential Apartment Zone category; and
      (D) it must be the only nightclub in the building.

(4) Hotel Location in a Building with Dwelling Units

   In a CR zone, no hotel room or suite may be located on the same storey as a dwelling unit.

(6) Service Shop

   In a CR Zone, the maximum interior floor area of all service shops on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total interior floor area may be reduced by the area used for the same building areas as provided for in the calculation of gross floor area.

(7) Public Parking - Location
In a CR zone, public parking:
(A) may not be in an above grade parking garage on a lot subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2); and
(B) is not subject to any location conditions on a lot subject to Development Standard Set 3 (SS3).

(8) Public Parking - Access
In a CR zone, the entrance or exit to land with public parking must only be through a zone that permits public parking.

(9) Public Parking Abutting a Lot in a Residential Zone & Residential Apartment Zone
In a CR zone, all parking spaces provided as public parking on a surface parking lot must be set back at least 1.5 metres from a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

(10) Public Parking Attendant Shelter
In a CR zone, one building for parking attendants is permitted on a lot with public parking use, if it:
(A) has a maximum height of 4.0 metres, including all mechanical equipment;
(B) has a maximum interior floor area of 5.0 square metres; and
(C) is at least 6.0 metres from a lot line abutting a street.

(11) Public Parking Fence
In a CR zone, on a lot with public parking in a surface parking lot, a fence must be provided:
(A) along all lot lines that abut a street, except for the portions used for vehicle and pedestrian access; and
(B) along all lot lines that abut a lot in a Residential Zone category or Residential Apartment Zone category.

(12) Drive Through Facility
In a CR zone, a drive through facility must be on a lot that:
(A) is subject to Development Standard Set 3 (SS3); and
(B) has a zone label with an ‘r’ value of 0.0.

(13) Vehicle Fuel Station and Vehicle Service Shop Location
In a CR zone, a vehicle fuel station and a vehicle service shop must be on a lot that abuts a major street as shown on the Policy Areas Overlay found in Section 995.15.

(14) Place of Worship
In a CR zone, a place of worship may not be on a lot that is located in Policy Area 3 (PA3) or Policy Area 4 (PA4) as shown on the Policy Areas Overlay Map found in Section 995.15.

(15) Laboratory
In a CR zone, the interior floor area of a laboratory must not exceed an area equivalent to the interior floor area of the first floor of the building in which it is located. The calculation of total interior floor area may be reduced by the area used for the same building areas as provided for in the calculation of gross floor area.

(16) Custom Workshop
In a CR Zone, the maximum interior floor area of all custom workshops on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total interior floor area may be reduced by the area used for the same building areas as provided for in the calculation of gross floor area.

(17) Retail Service
In a CR Zone, the maximum interior floor area of all retail services on a lot which is subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) is 400 square metres. The calculation of total interior floor area may be reduced by the area used for the same building areas as provided for in the calculation of gross floor area.

(20) Outdoor Sales or Display
In a CR zone, the outdoor sale or display of goods or commodities is subject to the following:
(A) it must be in combination with another permitted non-residential use;
(B) no goods or commodities may be displayed within 15.0 metres of a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category;
(C) the cumulative area for the outdoor sale or display of goods or commodities may not be more than 250 square metres;
(D) the area for the outdoor sale or display of goods or commodities may not be located on land required for parking, loading, driveways or landscaping; and
(E) there may be no storage or warehousing of goods in a vehicle.

(21) Outdoor Patio

(A) In a CR zone, an outdoor patio must be combined with one of the following uses and comply with the requirements found in regulations (B) through (G) below:
   - Amusement Arcade
   - Cabaret
   - Club
   - Eating Establishment
   - Entertainment Place of Assembly
   - Nightclub
   - Place of Assembly
   - Recreation Use
   - Sports Place of Assembly
   - Take-out Eating Establishment.

(B) the maximum area of an outdoor patio is the greater of:
   (i) 30 square metres; or
   (ii) 30% of the interior floor area of the premises it is associated with;

(C) it may not be used to provide entertainment such as performances, music and dancing;

(D) it must be set back at least 30.0 metres from a lot in a Residential Zone category or Residential Apartment Zone category;

(E) despite regulation (D) above, an outdoor patio located above the first storey of the building, must be at least 40.0 metres, measured horizontally, from a lot in a Residential Zone category or Residential Apartment Zone category;

(F) an outdoor patio in the rear yard of a lot which abuts or is within 30.0 metres of a lot in a Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the outdoor patio parallel to the rear lot line; and

(G) if the minimum distance of a lawfully existing outdoor patio on a lot is closer than the minimum distance requirements in (D) or (E) above, that lawful distance from a lot in a Residential Zone category or Residential Apartment Zone category is the minimum distance required for the lawfully existing outdoor patio.

(22) Tourist Home

In a CR zone, a tourist home must:

(A) be located in:
   (i) a townhouse; or
   (ii) in a lawfully existing detached house or semi-detached house; and

(B) not have vehicle access by a mutual driveway.

(23) Amusement Arcade - Size

In a CR zone, an amusement arcade:

(A) may be located in a building that:
   (i) has a minimum gross floor area of 20,000 square metres;
   (ii) has no residential uses listed in Clause 40.10.20.10 or 40.10.20.20;

(B) may have no more than 36 amusement devices;

(C) must have a minimum interior floor area of 6.0 square metres for each amusement device; and
(D) must only be accessible from the interior of the building.

(24) Funeral Home  
In a CR zone, a funeral home must comply with the specific use regulations in Section 150.120.

(25) Vehicle Washing Establishment  
In a CR zone, a vehicle washing establishment must comply with the specific use regulations in Section 150.96.

(26) Vehicle Dealership  
In a CR zone, a vehicle dealership must comply with the specific use regulations in Section 150.90.

(27) Day Nursery  
In a CR zone, a day nursery must comply with the specific use regulations in Section 150.45.

(28) School  
In a CR zone, a public school and a private school must comply with the specific use regulations in Section 150.48.

(29) Place of Assembly- Banquet Hall  
In a CR zone, a place of assembly that is a banquet hall with an interior floor area greater than 1,000 square metres must be at least 300 metres from a lot in a Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the banquet hall is in combination with a hotel.

(30) Group Home  
In a CR zone, a group home must comply with the specific use regulations in Section 150.15.

(31) Municipal Shelter  
In a CR zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(33) Eating Establishment  
In a CR zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(37) Drive Through Facility  
In a CR zone, a drive through facility must comply with the specific use regulations in Section 150.80.

(38) Vehicle Fuel Station  
In a CR zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(39) Vehicle Service Shop  
In a CR zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(40) Place of Worship  
In a CR zone, a place of worship must comply with the specific use regulations in Section 150.50.

(42) Seniors Community House  
In a CR zone, a seniors community house must comply with the specific use regulations in Section 150.30.

(43) Crisis Care Shelter  
In a CR zone, a crisis care shelter must comply with the specific use regulations in Section 150.20.

(44) Private Home Daycare  
In a CR zone, a private home daycare:  
(A) may be located in:  
(i) a townhouse; or  
(ii) a lawfully existing detached house or semi-detached house; and  
(B) any outdoor children's play area must be:  
(i) fenced; and  
(ii) not located in the front yard or a side yard abutting a street.
(45) Home Occupation
In a CR zone, a home occupation must comply with the specific use regulations in Section 150.5.

(46) Entertainment Place of Assembly, Sports Place of Assembly, or Recreation Use- Amusement Device
In a CR zone, an entertainment place of assembly, a sports place of assembly or a recreation use may not have more than 12 amusement devices and these devices may not be located in a hallway, lobby or other pedestrian area if the amusement devices are in the same building as one of these uses.

(47) Amusement Arcade - Location
In a CR zone, an amusement arcade must not be located:
(A) in a building that has a hotel with less than 100 guest rooms; and
(B) on a lot if any part of the lot is less than:
   (i) 150 metres from another lot with an amusement arcade; and
   (ii) 300 metres from a lot with a public school or private school.

(48) Rooming House
In a CR zone, a rooming house must comply with the specific use regulations in Section 150.25.

(54) Public Utility
In a CR zone, a public utility must not be:
(A) a sewage treatment plant; or
(B) a water filtration plant.

(55) Transportation Use
A building or structure located on a lot in an CR zone and used as a transportation use must comply with all requirements in this By-law for a building on that lot.

(56) Renewable Energy Production or Cogeneration Energy Production
In a CR zone renewable energy production or cogeneration energy production must be with a permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(57) Public Utility
In a CR zone, a public utility, must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the CR zone if it is:
(A) an electrical transformer station; or
(B) a natural gas regulator station.

(58) Secondary Suite
In the CR zone, a secondary suite must comply with the specific use regulations in Section 150.10.

40.10.30 Lot Requirements

40.10.30.1 General

(1) Commercial Development Parcel- Compliance in its Entirety
In a CR zone, if two or more lots are developed together, the requirements in this By-law apply respectively to the parts of the lot within the CR zone.

40.10.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in a CR zone
In a CR zone, the minimum lot frontage is 9.0 metres.

40.10.30.21 Lot Frontage Exemptions
(1) Permitted Lot Frontage for Lawfully Existing Lots
In the CR zone, if the lawful lot frontage of a lawfully existing lot is less than the minimum lot frontage required by this By-law, that lawful lot frontage is the permitted minimum lot frontage for that lawfully existing lot.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 40.10.30.21 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

40.10.30.40 Lot Coverage

(1) Maximum Lot Coverage
In a CR zone:
(A) if a lot is in an area with a numerical value shown on the Lot Coverage Overlay Map found in Section 995.20, that numerical value is the maximum lot coverage, as a percentage of the lot area; and
(B) if a lot is not in an area with a numerical value shown on the Lot Coverage Overlay Map found in Section 995.20, no maximum lot coverage applies.

40.10.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings
In the CR zone, if the area of a lot lawfully covered by lawfully existing buildings or structures is greater than the maximum lot coverage permitted by this By-law, the lawful percentage of the lot covered by those lawfully existing buildings or structures is the maximum permitted lot coverage for those lawfully existing buildings or structures.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to lawfully existing buildings or structures referred to in regulation 40.10.30.41 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

40.10.40 Principal Building Requirements

40.10.40.1 General

(1) Location of Commercial Uses in a Mixed Use Building Condition
If a lot in a CR zone has a mixed use building, all residential use portions of the building must be located above non-residential use portions.

(2) Commercial Uses - Location of Entrances and First Floor Elevation
In a CR zone, for any non-residential use, the floor level of the first floor must:
(A) be within 0.2 metres of grade measured at the lot line abutting the street directly opposite each pedestrian entrance; and
(B) have a pedestrian access, other than service entrances, which, if not level with the public sidewalk closest to the entrance, is accessed by a ramp which rises no more than .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 with a dwelling unit must not be located so that another building is between any main wall of the building and the street on which the building fronts.

(4) Hotel - Orientation to Street
In a CR zone, no building may be used as a hotel if another building is located between it and the street on which the hotel fronts.
(5) Building Orientation to a Street – Hotels and Buildings With Dwelling Units

In the CR zone, a building, or an addition which is not attached above grade to the original part of a building, is not permitted if:

(A) it has dwelling units, rooms or suites in a hotel, and is in the rear of another building or the original part of the same building; or

(B) it is in front of a building, or the original part of the same building, has dwelling units, rooms or suites in a hotel, to produce the condition of a building having dwelling units, rooms or suites, in the rear of another building.

(6) Location of Entrances when Abutting Residential

In a CR zone, pedestrian access for a lot which abuts a lot in a Residential Zone category or Residential Apartment Zone category, or is separated from a lot in a Residential Zone category or Residential Apartment Zone category by a lane or a street:

(A) may not be within 12 metres of any lot in a Residential Zone category or Residential Apartment Zone category, other than:
   (i) a service entrance;
   (ii) an entrance to a residential use; or
   (iii) an entrance or exit required by federal or provincial regulations; and

(B) is not required to comply with the requirements of regulation (A) above if:
   (i) a lot is located in a CR zone subject to Development Standard Set 1 (SS1); and
   (ii) a lot is located south of Bloor Street West or Bloor Street East.

40.10.40.10 Height

(1) Development Standard Set 1 - Maximum Height

In a CR zone subject to Development Standard Set 1 (SS1), the maximum height of a building or structure on a lot is:

(A) the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map found in Section 995.5; or

(B) 16.0 metres, where no numerical value is shown on the Height Overlay Map found in Section 995.5; and

(C) regulations (A) and (B) do not apply to the area bounded by York Street, Adelaide Street West, Wellington Street West, and Yonge Street.

(2) Development Standard Set 2 - Maximum Height

In a CR zone subject to Development Standard Set 2 (SS2), the maximum height of a building or structure on a lot is:

(A) the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map found in Section 995.5; or

(B) 14.0 metres, where no numerical value is shown on the Height Overlay Map found in Section 995.5.

(3) Development Standard Set 3 - Maximum Height

In a CR zone subject to Development Standard Set 3 (SS3), the maximum height of a building or structure on a lot is:

(A) the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map found in Section 995.5; or

(B) 11.0 metres, where no numerical value is shown on the Height Overlay Map found in Section 995.5.

(4) Required Minimum Height in certain CR zones

(A) In a CR zone where a lot has zone label with an 'r' value referred to in regulation 40.5.1.10(3)(ii) that is greater than 0.0 located in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), or
Policy Area 4 (PA4) as shown on the Policy Areas Overlay Map found in Section 995.15, the minimum height of a building or structure is 10.5 metres and it must have at least 3 storeys. (B) The minimum height and storeys requirement in regulation (A) does not apply to a vehicle fuel station.

(5) Minimum Height of First Floor
In a CR zone, the minimum height of the first storey, measured between the floor of the first storey and the ceiling of the first storey, is 4.5 metres.

40.10.40.11 Height Exemptions

(1) Permitted Maximum Height for Lawfully Existing Buildings
In the CR zone, if the lawful height of a lawfully existing building or structure is greater than the maximum height permitted by this By-law, that lawful height is the permitted maximum height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings – Maximum Height
Any addition or extension to a lawfully existing building or structure referred to in regulation 40.10.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Required Minimum Height for Lawfully Existing Buildings
In the CR zone, if the lawful height of a lawfully existing building or structure is less than the minimum height required by this By-law, that lawful height is the required minimum height for that lawfully existing building or structure.

(4) Additions to Lawfully Existing Buildings – Minimum Height
In the CR zone, the required minimum height for an addition or extension to a lawfully existing building or structure referred to in regulation 40.10.40.11 (3) is the required minimum height permitted in regulation 40.10.40.11 (3).

(5) Required Minimum Height of First Floor for Lawfully Existing Buildings
In the CR zone, if the lawful height of the first storey of a lawfully existing building or structure is less than the minimum first storey height required by this By-law, that lawful first storey height is the required minimum first storey height for that lawfully existing building or structure.

(6) Additions to Lawfully Existing Buildings – Minimum First Floor Height for Additions
In the CR zone, the required minimum first storey height of an addition or extension to a lawfully existing building or structure referred to in regulation 40.10.40.11 (5) is the required minimum first storey height permitted in regulation 40.10.40.11 (5).

40.10.40.40 Floor Area

(1) Floor Space Index
In the CR zone, the letters and numbers in brackets following the zone symbol on the zone label have the following application:

(A) the numerical value following the zone symbol is the total maximum floor space index for all uses on the lot;
(B) the letter ‘c’ refers to the floor space index and the numerical value is the maximum floor space index for non-residential uses on the lot; and
(C) the letter ‘r’ refers to the floor space index and the numerical value is the maximum floor space index for residential uses on the lot.

(2) Heritage Site – Designated Buildings Gross Floor Area Exclusion and Requirement
In a CR zone, a building identified as a heritage site may be used for any permitted use without complying with the permitted maximum gross floor area if:

(A) the gross floor area of the building does not exceed the total amount that existed within the building at the time of designation as a heritage site;
(B) the building is subject to an easement agreement pursuant to the Ontario Heritage Act, R.S.O 1990, as amended, or a predecessor or successor thereof; and

(C) a permitted addition or extension increases the gross floor area of the building; and:

(i) the whole of the building does not exceed the maximum permitted gross floor area; and

(ii) the uses permitted in the addition or extension, in combination with the original uses in the building, does not exceed the permitted maximum gross floor area for the lot.

3 Pedestrian Walkways - Gross Floor Area Exclusion in SS1 Areas

In a CR zone subject to Development Standard Set 1 (SS1), the gross floor area of a non-residential building or mixed use building may be reduced by the area used for:

(A) enclosed pedestrian walkways that:

(i) provide direct access to streets, parks, public buildings, outdoor amenity space accessible to the public, public transportation uses, or a similar walkway in an adjacent building;

(ii) are within 2.0 metres of 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) provide direct access between streets or similar walkways in adjacent buildings, and are located at least 60.0 metres from any part of any other pedestrian walkway; and

(B) washrooms or sitting areas that have access to the enclosed pedestrian walkways described in regulation (A) above.

40.10.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the CR zone, if the gross floor area of lawfully existing buildings on a lot results in a floor space index greater than the maximum floor space index permitted by this By-law, the floor space index resulting from those lawfully existing buildings is the maximum permitted floor space index for those lawfully existing buildings, provided that the lawfully existing floor space index for non-residential uses and the lawfully existing floor space index for residential uses does not change.

40.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space for Buildings with 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, and:

(A) at least 2.0 square metres for each dwelling unit must be indoor amenity space;

(B) at least 40.0 square metres must be outdoor amenity space adjoining or directly accessible to the indoor amenity space; and

(C) a maximum of 25% of the outdoor component may be a green roof.

(2) Amenity Space for Buildings with Non-Residential Uses in SS1 Areas

In a CR zone subject to Development Standard Set 1 (SS1), a building with non-residential gross floor area and is located on a lot with one or more lot lines exceeding 12.0 metres in length which abut 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 abut 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 abut 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 abut a street.

40.10.40.51 Decks, Platforms and Amenities Exemptions

(1) Required Amenity Space for Lawfully Existing Buildings with 20 or more dwelling units
In the CR zone, if a lawfully existing building with 20 or more dwelling units has not provided the amenity space required by this By-law, that lawfully existing building does not have to comply with the amenity space requirement.

(2) Required Outdoor Amenity Space for Lawfully Existing Buildings with Non-residential uses in SS1 Areas
In the CR zone subject to Development Standard Set (SS1), if a lawfully existing building with non-residential uses has not provided the outdoor amenity space required by this By-law, that lawfully existing building or structure does not have to comply with the outdoor amenity space requirement.

40.10.40.60 Permitted Encroachments

(1) Permitted Encroachments- Decks, Porches and Balconies
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 building, is subject to the following:

(A) a platform with a floor level no higher than the floor level of the first floor of the building may encroach into the required building setback the lesser of 2.5 metres or 50% of the required building setback, if it is no closer to a lot line than 0.3 metres and is not located between the building and a lot line that abuts a street;

(B) in a CR zone subject to Development Standard Set 1 (SS1), or Development Standard Set 3 (SS3), a platform with a floor level higher than the floor level of the first floor of the building may encroach into the required building setback a maximum of 1.5 metres; and

(C) in a CR zone subject to Development Standard Set 2 (SS2), a platform attached to the front main wall with a floor level higher than the floor level of the first floor of the building must:
   (i) be located above the three storeys closest to established grade;
   (ii) be located entirely behind the front main wall of the three storeys closest to established grade; and
   (iii) not project more than 1.5 metres from the main wall to which it is attached.

(2) Permitted Encroachments- Canopies and Awnings
In a CR zone a canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with regulation 40.10.40.60 (1), may encroach into a required building setback for the building as follows:

(A) to the same extent as the platform it is covering; and

(B) if it is not covering a platform, the canopy, awning or similar structure:
   (i) in a rear yard, the lesser of 2.5 metres or 50% of the required rear yard setback, if it is no closer to a side lot line than the required side yard setback;
   (ii) in a side yard that does not abut a street, a maximum of 1.5 metres, if it is no closer than 0.3 metres from the side lot lines; and
   (iii) in a front yard or side yard that abuts a street, in compliance with regulation 40.5.40.60 (1).

(3) Permitted Encroachments- Exterior Stairs, Access Ramp and Elevating Device
In a CR zone:

(A) exterior stairs providing access to a building or structure may encroach into a required building setback, if the stairs are:
(i) no longer than 1.5 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure;
(ii) no wider than 2.0 metres; and
(iii) no closer to a lot line than 0.3 metres.

(B) an uncovered ramp providing access to a building or structure may encroach into a required building setback, if the ramp is:
(i) no longer than 12 horizontal units for each 1.0 vertical unit above grade at the point where the ramp meets the building or structure;
(ii) no wider than 1.5 metres for each sloped ramp segment; and
(iii) no closer to a lot line than 0.3 metres.

(C) an elevating device providing access to a building or structure may encroach into a required building setback, if the elevating device:
(i) elevates no higher than the first floor of the building;
(ii) has a maximum area of 3.0 square metres; and
(iii) is no closer to a lot line than 0.3 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 building, may encroach into a required building setback a maximum of 0.15 metres, if the building is at least 5 years old.

(5) Permitted Encroachments- Architectural Features
In a CR zone, architectural features on a building must comply with the following:

(A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on a building may encroach into a required building setback a maximum of 0.6 metres, if it is no closer to a lot line than 0.3 metres.

(B) a chimney breast, on a building, may encroach into a required building setback a maximum of 0.6 metres, if it is:
(i) no wider than 2.0 metres; and
(ii) no closer to a lot line than 0.3 metres.

(6) Permitted Encroachments- Window Projections
In a CR zone a bay window, box window, or other window projection from a main wall of a building, which increases floor area or enclosed space which does not touch the ground, may encroach:

(A) into a required front yard 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 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 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, roof projections must comply with the following:

(A) a dormer projecting from the surface of the roof, must not have any wall of the dormer closer to a lot line than the required building setback for the building’s main wall; and

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

(8) Permitted Encroachments- Equipment
On a building in a CR zone, the following wall mounted equipment may encroach into a required building setback as follows, if they are no closer to the lot line than 0.3 metres:

(A) an air conditioner a maximum of 0.9 metres, into the required rear yard setback or side yard setback if it is not located above the first floor;
(B) a satellite dish a maximum of 0.9 metres;
(C) an antennae or pole used to hold an antennae a maximum of 0.9 metres into a required rear yard setback or side yard setback; and
(D) a vent or pipe a maximum of 0.6 metres into a required rear yard setback or side yard setback.

(9) Permitted Encroachments - Required Angular Planes
In a CR zone, permitted encroachments may not penetrate into an angular plane required by this By-law.

40.10.40.70 Setbacks

(1) Development Standard Set 1 - Building Setbacks
In a CR zone subject to Development Standard Set 1 (SS1), a building or structure is subject to the following:

(A) at least 75% of the main wall of the building facing a front lot line must be located at or between the front lot line and a maximum of 3.0 metres from the front lot line;
(B) Where the main wall of a building has windows or openings, the main wall must be set back at least 5.5 metres from a lot line that is not adjacent to a street or lane, otherwise no building setback is required; and
(C) Where the main wall of a building does not have windows or openings, the main wall must be set back at least 3.0 metres from a rear lot line or side lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required.

(2) Development Standard Set 2 - Building Setbacks
In a CR zone subject to Development Standard Set 2 (SS2), a building or structure is subject to the following:

(A) at least 75% of the main wall of the building facing a front lot line must be located at or between the front lot line and a maximum of 3.0 metres from the front lot line;
(B) the building must be set back:
   (i) at least 7.5 metres from the rear lot line; or
   (ii) where the rear lot line abuts a lane, at least 7.5 metres from the lot line of the lot abutting the lane on the opposite side of the lane.
(C) Where the main wall of a building has windows or openings, the main wall must be set back at least 5.5 metres from a side lot line that is not adjacent to a street or lane, otherwise no building setback is required;
(D) Where the main wall of a building does not have windows or openings, the main wall must be set back at least 3.0 metres from a side lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required;
(E) If a lot abuts an O, ON or OR zone or a Residential Zone category or Residential Apartment Zone category, then every building on the lot in the CR Zone may not penetrate a 45 degree angular plane projected:
   (i) over a shallow lot, along the entire required rear yard setback, starting at a height of 10.5 metres above the average elevation of the ground along the rear lot line; and
   (ii) over a deep lot, along the entire required rear yard setback, starting at a height of 7.5 metres above the average elevation of the ground along the rear lot line;
(F) For the purpose of Regulation 40.10.40.70 (2)(E):
   (i) a shallow lot is a lot with a lot depth less than or equal to that which is prescribed in column B corresponding to the width of the street right-of-way on which the lot has frontage in column A; and
   (ii) a deep lot is a lot with a lot depth greater than that which is prescribed in column B corresponding to the width of the street right-of-way on which lot has frontage in column A:

Width of street right-of-way Lot depth
(ii)

(iii) the specified height above the required rear yard setback at which the angular plane is measured, must be taken from the average elevation of grade along the rear lot line; and

(iv) where a lot has frontage on a street right-of-way that is not listed in column A, the next lowest width of street right-of-way in column A will apply;

(G) the building must 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; and

(H) If a lot has two or more lot lines which abut a street, then the width of the widest abutting street right-of-way must be taken to apply regulation 40.10.40.70 (2)(G).

(3) Development Standard Set 3 - Building Setbacks

In a CR zone subject to Development Standard Set 3 (SS3), a building or structure is subject to the following:

(A) the building must be set back:

   (i) at least 7.5 metres from the rear lot line; or

   (ii) where the rear lot line abuts a lane, at least 7.5 metres from the lot line of the lot abutting the lane on the opposite side of the lane; and

   (iii) at least 3.0 metres from a side lot line if the side lot line abuts a major street not shown on the Policy Areas Overlay Map.

(B) Where the main wall of a building has windows or openings, the main wall must be set back at least 5.5 metres from a side lot line that is not adjacent to a street or lane, otherwise no building setback is required.

(C) Where the main wall of a building does not have windows or openings, the main wall must be set back at least 3.0 metres from a side lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required.

(D) If a lot abuts an O, ON or OR zone or a Residential Zone category or Residential Apartment Zone category, then every building on the lot in the CR Zone may not penetrate a 45 degree angular plane projected:

   (i) over a shallow lot, along the entire required rear yard building setback, starting at a height of 10.5 metres above the average elevation of the ground along the rear lot line; and

   (ii) over a deep lot, along the entire required rear yard building setback, starting at a height of 7.5 metres above the average elevation of the ground along the rear lot line.

(E) For the purpose of Regulation 40.10.40.70 (3)(D):

   (i) a shallow lot is a lot with a lot depth less than or equal to that which is prescribed in column B corresponding to the width of the street right-of-way on which the lot has frontage in column A; and

   (ii) a deep lot is a lot with a lot depth greater than that which is prescribed in column B corresponding to the width of the street right-of-way on which lot has frontage in column A:

<table>
<thead>
<tr>
<th>Width of street right-of-way</th>
<th>Lot depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 metres</td>
<td>32.6 metres</td>
</tr>
<tr>
<td>23 metres</td>
<td>36.2 metres</td>
</tr>
<tr>
<td>27 metres</td>
<td>41.0 metres</td>
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<td>Metres</td>
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<tr>
<td>30</td>
<td>44.6</td>
</tr>
<tr>
<td>33</td>
<td>48.2</td>
</tr>
<tr>
<td>36</td>
<td>51.8</td>
</tr>
</tbody>
</table>

(ii) the specified height above the required rear yard building setback at which the angular plane is to be measured, must be taken from the average elevation of grade along the rear lot line; and

(iv) where a lot has frontage on a street right-of-way that is not listed in column A, the next lowest width of street right-of-way in column A will apply.

(4) Minimum Building Setback from Front Lot Line for Residential Uses on the First Floor

Despite regulations 40.10.40.70 (1)(A), and 40.10.40.70 (2)(A), for a building constructed pursuant to a building permit issued three years after the date of passage of this by-law, any portion of a building with dwelling units located in the first floor of a building must be set back:

(A) at least 4.5 metres from the front lot line; or
(B) at least 3.0 metres from the front lot line if that the floor level of the first floor is located at least 0.9 metres and a maximum of 1.2 metres above the average elevation of grade along the front lot line.

(5) Building Setbacks Below Grade - Development Standard Set 1 and Development Standard Set 2

Despite Regulation 5.10.40.70 (2), in a CR zone subject to Development Standard Set 1(SS1) or Development Standard Set 2 (SS2), building setback requirements do not apply to the parts of a building or structure that are below grade.

40.10.40.71 Setbacks Exemptions

(1) Permitted Building Setbacks for Lawfully Existing Buildings

(A) In the CR zone, if the lawful building setback of a lawfully existing building or structure is more than the maximum building setback required by this By-law from a front lot line, that lawful building setback is the maximum front yard setback permitted for that building or structure.

(B) In the CR zone, if the lawful building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:

(i) a rear lot line, that lawful building setback is the minimum rear yard setback for that building or structure; or

(ii) a side lot line, that lawful building setback is the minimum side yard setback for that building or structure.

(2) Required Building Setbacks for Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure referred to in regulation 40.10.40.71 (1) must comply with the maximum and minimum building setbacks required by this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Required Building Angular Planes for Lawfully Existing Buildings

In the CR zone, if a lawfully existing building or structure penetrates an angular plane required by this By-law, the lawfully existing building or structure does not have to comply with the angular plane requirement in this By-law.

(4) Required Building Angular Planes for Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure referred to in regulation 40.10.40.71 (3) must comply with the angular planes required by this By-law or be authorized by a Section 45 Planning Act minor variance.

40.10.40.80 Separation

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(1) Separation of Building Walls - Development Standard Set 1

For a lot in a CR zone, subject to Development Standard Set 1 (SS1), any main wall of a building must comply with the following:

(A) where a main wall of the building has windows and a line projected at a right angle from one of these main walls intercepts another main wall with windows on the same lot, the minimum above ground distance between the main walls must be 11.0 metres; and

(B) where a main wall of the building has windows facing another main wall on the same lot which does not have windows and a line projected at a right angle from one of these main walls intercepts the other main wall, the minimum above ground distance between them is 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), the portion of a building which has a height equal to or less than the width of the right-of-way of the street it abuts must comply with the following:

(A) where a main wall of the building has windows and a line projected at a right angle from one of these main walls intercepts another main wall with windows on the same lot, the minimum above ground distance between the main walls is 11.0 metres; and

(B) where a main wall of the building has windows facing another main wall on the same lot which does not have windows and a line projected at a right angle from one of these main walls intercepts the other main wall, the minimum above ground distance between them is 5.5 metres.

40.10.40.81 Separation Exemptions

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

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

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure referred to in regulation 40.10.40.81 (1) must comply with the minimum separation distance between main walls required by this By-law or be authorized by a Section 45 Planning Act minor variance.

40.10.50 Yards

40.10.50.10 Landscaping

(1) Landscaping Requirement in CR Development Standard Set 3

In a CR zone:

(A) subject to Development Standard Set 1 (SS1), or Development Standard Set 2 (SS2), no landscaping is required; and

(B) subject to Development Standard Set 3 (SS3):

(i) on a lot where any portion of a main wall of a building is set back from the front lot line 3.0 metres or greater, a minimum 3.0 metre wide strip of landscaping must be provided between any lot line that abuts a street and those portions of a main wall; and

(ii) no landscaping is required on a lot where all portions of the main walls of a building are set back from the front lot line 3.0 metres or less.

(2) 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 a lot line abutting the lot in the Residential Zone category or Residential Apartment Zone category.

(3) Landscaping Requirement When Abutting a Lot in a Residential Zone Category
If a lot in a CR 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 provided along the part of the lot line abutting the lot in the Residential Zone category or Residential Apartment Zone category.

40.10.80 Parking

40.10.80.10 Location

(1) Location of Outdoor Surface Parking- SS1 and SS2 Areas
In a CR zone subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2), a surface parking space may not be located in the front yard.

40.10.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
A parking space not located in a building or structure must be set back at least 0.5 metres from a lot line and not be located on any portion of the lot used for soft landscaping.

(2) 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 set back at least 7.5 metres from a lot in a Residential Zone category, Residential Apartment Zone category or Open Space zone category.

40.10.90 Loading

40.10.90.1 General

(1) Loading Space Options Mixed Use Buildings
In a CR zone, if a mixed use building has 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, referred to in regulation 220.5.1.10 (8).

(2) Loading Space Options Mixed Use Buildings
In a CR zone, if a mixed use building has a minimum of 400 dwelling units, a Type 'C' loading space required for the dwelling units is satisfied if a Type 'A', Type 'B' or Type 'C' loading space, referred to in regulation 220.5.1.10 (8), is provided for the non-residential uses in the same building.

40.10.90.10 Location

(1) Loading Space Location
A loading space may not be located in:
   (A) a front yard;
   (B) a side yard abutting a street; or
   (C) any yard that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

40.10.90.11 Location Exemptions

(1) Loading Space Location Exemption
If a lawfully existing building does not comply with the loading space location requirements of regulation 40.10.90.10 (1), a lawfully existing loading space is exempt from the requirements of regulation 40.10.90.10 (1).
40.10.90.40 Access to Loading Space

(1) Access to Loading Space - Restrictions

In a CR Zone:
(A) where a lot abuts a lane, access to a loading space must be from the lane; and
(B) where a corner lot does not abut a lane and it has at least one lot line abutting a street which is not a major street as shown on the Policy Areas Overlay Map found in Section 995.15, 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

In a CR zone where a lot abuts a lot in a Residential Zone category or Residential Apartment Zone category, access to the loading space may not be through any part of a lot in a Residential Zone category or Residential Apartment Zone category.

(3) Access Through a Main Wall to a Loading Space

A loading space located in a building may not have its access through a main wall that faces a street.

40.10.90.41 Access to Loading Space Exemptions

(1) Access Through a Main Wall to a Loading Space Exemption

If a lawfully existing building has a lawful loading space access in a main wall that does not comply with the loading space location requirements of regulation 40.10.90.40 (3), that lawful loading space is exempt from the requirements of regulation 40.10.90.40 (3).

40.10.100 Access to Lot

40.10.100.10 Location

(1) Vehicle Access - Restrictions

In a CR zone:
(A) where a lot abuts a lane, vehicle access must be from the lane;
(B) where 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 as shown on the Policy Areas Overlay Map found in Section 995.15, vehicle access must be from the street which is not a major street;
(C) only one vehicle access is permitted; and
(D) Regulations (A), (B), and (C), do not apply to restrict the following uses:
(i) Ambulance Depot
(ii) City Services;
(iii) Fire Hall;
(iv) Police Station or
(v) Vehicle Fuel Station.

(2) Access to Parking Areas Adjacent to a Lot in a Residential Zone

In a CR zone, where a lot abuts a lot in a Residential Zone category or Residential Apartment Zone category, access to a parking space may not be through any part of a lot in a Residential Zone category or Residential Apartment Zone category.

40.10.150 Waste

40.10.150.1 General

(1) Waste and Recyclable Materials Storage
(A) In a CR zone, for a building constructed pursuant to a building permit issued three years after the date of passage of this by-law, all waste and recyclable material must be stored in the building, or in a wholly enclosed ancillary building;

(B) where the waste and recyclable material is stored in an ancillary building, the ancillary building:
   (i) may not be located in a side yard that abuts a street or in a front yard; and
   (ii) must be located at least:
      (a) 7.5 metres from a lot in a Residential Zone category, Residential Apartment Zone category, or Open Space Zone category; and
      (b) 1.0 metres from all other side lot lines and rear lot lines.

Chapter 50 Commercial Residential Employment

50.5 Regulations applying to the Commercial Residential Employment Zone Category

50.5.1 General

50.5.1.10 Interpretation

(1) Application of General Regulations Section
   The regulations 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 Symbol
   The zone symbol on the Zoning By-law Map for zones in the Commercial Residential Employment Zone category consists of the letters CRE, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the Zone Label
   In the Commercial Residential Employment Zone category, the letters following the zone symbol in the zone label have the following meaning:
      (A) a numerical value indicating the maximum permitted floor space index for all land uses on a lot and may be followed by one or both of the following in brackets:
         (i) the letter 'c' and a numerical value indicates the maximum floor space index permitted for non-residential uses on a lot;
         (ii) the letter 'r' and a numerical value indicates the maximum floor space index permitted for residential uses on a lot; and
         (iii) the letter 'e' and a numerical value indicates the maximum floor space index permitted for employment uses on a lot.

50.5.20 Permitted Uses

(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 or Residential Apartment Zone category, the lot may only be for required parking.

(2) Living Accommodation in Ancillary Buildings
   In a Commercial Residential Employment zone category, ancillary buildings must not be used for living accommodation.

50.5.20 Permitted Uses
50.5.20.1 General

(1) **Existing Place of Worship**
A lawfully existing place of worship on a lot in the Commercial Residential Employment Zone category is permitted on that lot, and:
   
   (A) any expansion or addition to the place of worship building must comply with the requirements of Section 150.50 and the requirements for the zone in which the lot is located; and
   
   (B) the place of worship may be replaced with a new place of worship building that complies with the requirements of Section 150.50 and the requirements for the zone in which the lot is located.

(2) **Firearm Manufacturing**
The making of a firearm or any part of a firearm is not a permitted use under the term of a manufacturing use in this by-law.

(3) **Firearms Manufacturing Interpretation**
A gunsmith or custom workshop that makes a firearm is considered a manufacturing use and must comply with the requirements of 50.5.20.1 (2) of this by-law.

(4) **Firearm Manufacturing for the Entertainment Industry**
Despite subsections 50.5.20.1 (2) and (3) of this by-law, the making of a firearm or any part of a firearm for use in a motion picture or television show is not deemed to be a manufacturing use for the purposes of this by-law.

50.5.40 Principal Building Requirements

50.5.40.1 General

(1) **Building Requirements**
Additional building requirements are in each zone in the Commercial Residential Employment Zone category.

50.5.40.10 Height

(1) **Determining the Height of Buildings in Commercial Residential Employment Zones**
In a Commercial Residential Employment Zone category, the height of a building is 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 of the building.

(2) **Determining the Height of Structures in Commercial Residential Employment Zones**
In a Commercial Residential Employment Zone category the height of a structure that is not a building is the distance between the average grade around the structure and the elevation of the highest point of the structure.

(3) **Height for Specified Structures on a Building**
In the Commercial Residential Employment Zone category, the following structures on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres:

   (A) antennae;
   
   (B) flagpoles; and
   
   (C) satellite dishes.

(4) **Height of Elements for Functional Operation of a Building**
In the Commercial Residential Employment Zone category, equipment and structures located on the roof of a building, may exceed the permitted maximum height for that building by 5.0 metres, subject to regulation 50.5.40.10 (5):

   (A) equipment used for the functional operation of the building, such as electrical, utility, mechanical
and ventilation equipment;

(B) structures or parts of the building that are used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and

(C) structures that enclose, screen or cover the equipment, structures and parts of a building listed in (A) and (B) above.

(5) Limits on Elements for Functional Operation of a Building

In the Commercial Residential Employment Zone category, equipment, structures or parts of a building exceeding the maximum building height, as permitted by regulation 50.5.40.10 (4), must comply with the following:

(A) the total area of all equipment, structures, or parts of a building may cover no more than 30% of the area of the roof, measured horizontally; and

(B) if any equipment, structures, or parts of a building are located within 6.0 metres of a lot line abutting a street, their total horizontal dimension, measured parallel to the street, may not exceed 20% of the width of the building's main walls facing that street.

(6) Height of Rooftop Outdoor Recreation, Safety and Wind Protection Elements

In the Commercial Residential Employment Zone category, unenclosed structures providing safety or wind protection to rooftop recreational uses may exceed the permitted maximum height for that building by 3.0 metres, if the structures are no closer than 2.0 metres from the interior face of any main wall.

(7) Height of Buildings and Structures - Green Roof Elements

If a building in a Commercial Residential Employment Zone category a parapet wall used for wind protection for the green roof may exceed the permitted maximum building height by 2.0 metres.

50.5.40.40 Floor Area

(1) Gross Floor Area Calculations for a Non-residential Building in a Commercial Residential Employment Zone Category

In a Commercial Residential Employment Zone category the gross floor area of a non-residential building may be reduced by the area used for:

(A) parking, loading, and bicycle parking below established grade;

(B) loading and bicycle parking at established grade;

(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;

(D) shower facilities that are required by this By-law for required bicycle parking spaces;

(E) elevator shafts;

(F) mechanical penthouse; and

(G) exit stairwells in the building.

(2) Floor Space Index Calculation for a Non-residential Building in a Commercial Residential Employment Zone Category

In a Commercial Residential Employment Zone category the floor space index for a non-residential building is the result of the gross floor area minus the areas listed in regulation 50.5.40.40 (1) divided by the area of the lot.

(3) Gross Floor Area Calculations for a Mixed Use Building in a Commercial Residential Employment Zone Category

In a Commercial Residential Employment Zone category the gross floor area of a mixed use building may be reduced by the area used for:

(A) parking, loading, and bicycle parking below established grade;

(B) loading and bicycle parking at established grade;

(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;

(D) shower facilities required by this By-law for required bicycle parking spaces;

(E) amenity space required by this By-law;
(F) elevator shafts;
(G) garbage and recyclable material shafts;
(H) mechanical penthouse; and
(I) exit stairwells in the building.

(4) Floor Space Index Calculation for a Mixed Use Building in a Commercial Residential Employment Zone Category
In a Commercial Residential Employment Zone category the floor space index for a mixed use building is the result of the gross floor area minus the areas listed in regulation 50.5.40.40 (3) divided by the area of the lot.

(5) Gross Floor Area Calculations for an Apartment Building in a Commercial Residential Employment Zone Category
In a Commercial Residential Employment Zone category the gross floor area of an apartment building may be reduced by the area used for:

(A) parking, loading, and bicycle parking below established grade;
(B) loading and bicycle parking at established grade;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower facilities required by this By-law for required bicycle parking spaces;
(E) amenity space required by this By-law;
(F) elevator shafts;
(G) garbage and recyclable material shafts;
(H) mechanical penthouse; and
(I) exit stairwells in the building.

(6) Floor Space Index Calculation for an Apartment Building in a Commercial Residential Employment Zone Category
In a Commercial Residential Employment Zone category the floor space index for an apartment building is the result of the gross floor area minus the areas listed in regulation 50.5.40.40 (5) divided by the area of the lot.

(7) Gross Floor Area Calculations for a Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex in a Commercial Residential Employment Zone Category
In a Commercial Residential Employment Zone category the gross floor area of a detached house, semi-detached house, townhouse, duplex, triplex, or fourplex may be reduced by the area used for:

(A) basement, unless the elevation of the established grade is higher than the average elevation of grade along the rear main wall of the building by 2.5 metres or more, in which case 50% of the basement area is included in the gross floor area calculation; and
(B) required parking spaces.

(8) Gross Floor Area Calculations Regarding Attic Space in a Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex in a Commercial Residential Employment Zone Category
In a Commercial Residential Employment Zone category the gross floor area of a detached house, semi-detached house, townhouse, duplex, triplex, or fourplex includes the floor area above the main wall located within an area of a building such as an attic, if it is accessed by means of a permanent stair case or is habitable space.

(9) Floor Space Index Calculation for a Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex Building in a Commercial Residential Employment Zone Category
In a Commercial Residential Employment Zone category the floor space index for a detached house, semi-detached house, townhouse, duplex, triplex, or fourplex is the result of the gross floor area:

(A) minus the areas listed in regulation 40.5.40.40 (7); and
(B) plus the areas listed in regulation 40.5.40.40 (8) divided by the area of the lot.

50.5.40.41 Floor Area Exemptions
(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the Commercial Residential Employment Zone category, if the gross floor area of lawfully existing buildings or structures on a lot results in a floor space index greater than the maximum floor space index permitted by this By-law, the floor space index resulting from those lawfully existing buildings or structures on that lot is the maximum permitted floor space index for those lawfully existing buildings or structures on that lot.

50.5.40.60 Permitted Encroachments

(1) Canopies and Awnings

In the Commercial Residential Employment Zone category, a canopy, awning or similar structure, with or without structural support, may encroach into a required building setback that abuts a street, if no part of the canopy, awning or similar structure is located more than 5.0 metres above the elevation of the grade directly below it.

50.5.40.70 Setbacks

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

A building or structure in the Commercial Residential Employment Zone category must be:

(A) no closer than 3.0 metres from the original centreline of a lane if the lot abutting the other side of the lane is not in a Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and

(B) no closer than 3.5 metres from the original centreline of a lane if the lot abutting the other side of the lane is in a Residential Zone category, Residential Apartment Zone category or Open Space Zone category.

50.5.40.71 Setbacks Exemptions

(1) Lawfully Existing Building Set Back from a Lane

In the Commercial Residential Employment Zone category, if the building setback of a lawfully existing building is less than the minimum set back of a building required by this By-law from a lane, that lawfully existing set back of a building from the original centreline of the lane is the minimum set back of a building from the original centreline of the lane permitted for that lawfully existing building.

(3) Additions Above Lawfully Existing Buildings

The minimum set back of a building from the original centreline of a lane for any addition or extension above a lawfully existing building or structure referred to in regulation 50.5.40.71 (1) is the minimum set back of a building from the original centreline of the lane permitted by regulation 50.5.40.71 (1).

50.5.75 Energy Regulations

50.5.75.1 General

(1) Renewable Energy and Cogeneration Energy Device - Location Restriction

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

(2) Renewable Energy Device - Height Requirements

In the Commercial Residential Employment Zone category, a photovoltaic solar energy device or a thermal solar energy device:

(A) located on a building,

(i) must comply with the building setback requirements, and

(ii) no part of the device may higher than 2.0 metres above the permitted maximum height for
the building; and
(B) if ground mounted, must comply with the requirements in this By-law for a building or structure on the lot.

(3) Wind Energy Device - Building Setbacks
In the Commercial Residential Employment Zone category, a wind energy device must comply with the building setback requirements for a building on the lot.

(4) Wind Energy Device - Height
In the Commercial Residential Employment Zone category, no part of a wind energy device may exceed the permitted maximum height for a building as follows:
(A) on a lot that abuts a lot in a Residential Zone category or Residential Apartment Zone category, by 3.0 metres;
(B) the permitted maximum height of a building is less than 25.0 metres, by 3.0 metres; or
(C) in all other cases, by 5.0 metres.

(5) Geo-energy Requirements
In the Commercial Residential Employment Zone category, any above-ground part of a geo-energy device must comply with the requirements in this By-law for a building or structure on the lot.

(6) Cogeneration Device
In the Commercial Residential Employment Zone category, a cogeneration energy device must be located inside a permitted building.

50.5.80 Parking

50.5.80.1 General

(1) Use of Required Parking Space
A parking space required by this By-law for a use in the Commercial Residential Employment Zone category must be available for the use for which it is required.

50.5.80.10 Location

(1) Location of Required Parking Spaces
A parking space must be located on the same lot as the use for which the parking space is required.

50.10 Commercial Residential Employment Zone (CRE)

50.10.1 General

50.10.1.10 Interpretation

(1) Application of This Section
The regulations in Section 50.10 apply to lands, uses, buildings and structures in a CRE zone.

(2) Medical Office
For the purposes of the CRE zone, a medical office includes a medical clinic.

50.10.20 Permitted Uses

50.10.20.10 Permitted Use
(1) Use – CRE Zone

(A) In a CRE zone, the following uses are permitted under the letter 'c' in the zone label referred to in regulation 50.5.1.10 (3)(A)(i):

Ambulance Depot
Art Gallery
Artist Studio
Automated Banking Machine
Community Centre
Courts of Law
Custom Workshop
Education Use
Financial Institution
Fire Hall
Hospital
Library
Medical Office
Museum
Office
Park
Passenger Terminal
Performing Arts Studio
Personal Service Shop
Pet Services
Police Station
Post-Secondary School
Production Studio
Religious Education Use
Respite Care Facility
Retail Service
Retail Store
Service Shop
Software Development and Processing
Veterinary Hospital

(B) In a CRE zone, the following uses are permitted under the letter 'r' in the zone label referred to in regulation 50.5.1.10 (3)(A)(ii):

Dwelling Unit in a permitted building type
Hospice Care Home
Nursing Home
Religious Residence
Residential Care Home
Retirement Home
Student Residence

(C) In a CRE zone, the following uses are permitted under the letter 'e' in the zone label referred to in regulation 50.5.1.10 (3)(A)(iii):

Beverage Manufacturing
Bindery
Carpenter's Shop
Cold Storage
Computer, Communications, Electronics, or Optical Media Manufacturing
Dry Cleaning or Laundry Plant
Furniture Manufacturing
Industrial Sales and Service Use
Medical Equipment and Supplies Manufacturing
Metal Products Manufacturing
Printing Establishment
Self-storage Warehouse
Warehouse
Wholesaling Use.

50.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions – CRE Zone

(A) In a CRE zone, the following uses are permitted under the 'c' in the zone label if they comply with the specific conditions associated with the reference number(s) for each use in Clause 50.10.20.100:

Amusement Arcade (1,31)
Animal Shelter (9)
Cabaret (2)
Club (2)
Day Nursery (26)
Eating Establishment (2,32)
Entertainment Place of Assembly (2,39)
Funeral Home (4)
Hotel (5)
Laboratory (10)
Nightclub (2,3)
Outdoor Patio (21)
Outdoor Sales or Display (41)
Place of Assembly (2,28)
Place of Worship (6,34)
Private School (27)
Public School (27)
Public Utility (7,44)
Public Works Yard (8)
Recreation Use (2,39)
Sports Place of Assembly (39)
Take-out Eating Establishment (2)
Transportation Use (43)
Vehicle Dealership (22)
Vehicle Fuel Station (23)
Vehicle Service Shop (24)
Vehicle Washing Establishment (25)

(B) In a CRE zone, the following uses are permitted under the letter 'r' in the zone label if they comply with the specific conditions associated with the reference number(s) for each use in Clause 50.10.20.100:

Crisis Care Shelter (36)
Group Home (29)
Municipal Shelter (30)
Private Home Daycare (38)
Rooming House (40)
Secondary Suite (37)
Seniors Community House (35)
Tourist Home (20)

(C) In a CRE zone, the following uses are permitted under the letter 'e' in the zone label if they comply with the specific conditions associated with the reference number(s) for each use in Clause 50.10.20.100:

Apparel and Textile Manufacturing (12)
Clay Product Manufacturing (16, 19)
Cogeneration Energy Production (42)
Contractor’s Establishment (11)
Food Manufacturing (13)
Glass Product Manufacturing (15)
50.10.20.40 Permitted Building Types

(1) Permitted Building Types
In a CRE zone the following building types are permitted:

- Detached House
- Semi-Detached House
- Townhouse
- Duplex
- Triplex
- Fourplex
- Apartment Building
- Mixed Use Building
- Non-residential Building.

50.10.20.100 Conditions

(1) Amusement Arcade
In a CRE zone, an amusement arcade may be located:

(A) in a building that has a hotel with less than 100 guest rooms; or
(B) on a lot if any part of the lot is less than:
   (i) 150 metres from any other lot with an amusement arcade; and
   (ii) 300 metres from any lot with a public school or private school.

(2) Cabaret, Club, Eating Establishment, Entertainment Place of Assembly, Nightclub, Place of Assembly, Recreation Use and Take-out Eating Establishment

(A) In a CRE zone the total interior floor area of all cabarets, clubs, eating establishments, entertainment places of assembly, nightclubs, places of assembly, recreation uses and take-out eating establishments on a lot within 6.1 metres of a lot in a Residential Zone category or Residential Apartment Zone category may not exceed 400 square metres;
(B) the calculation in the total interior floor area may be reduced by the area used for:
   (i) the same building areas as provided for in the calculation of gross floor area; and
   (ii) in the case of an eating establishment or take-out eating establishment, the areas used for associated offices, storage rooms, and staff rooms located in the basement or on a different storey than the eating establishment or take-out eating establishment; and
(C) The interior floor area size restriction in regulation (A) above does not apply to cabarets, clubs, eating establishments, entertainment places of assembly, places of assembly, recreation uses and take-out eating establishments, if the lot is more than 6.1 metres from a lot in a Residential Zone category or Residential Apartment Zone category.

(3) Nightclub
In a CRE zone, a nightclub is subject to the following:

(A) it must be located on the first floor;
(B) it must be on a lot does not abut a lot in a Residential Zone or Residential Apartment Zone category;
(C) it must be the only one nightclub in the building;
(D) the front lot line or side lot line of the lot may 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 may not exceed 350 square metres;
(iii) the nightclub must be on a lot that abuts King Street West, or Richmond Street West, or Adelaide Street West; and
(iv) the total number of nightclubs in the CRE zone west of Spadina Avenue may not be more than 14.

(4) Funeral Home
In a CRE zone, a funeral home must comply with the specific use regulations in Section 150.120.

(5) Hotel Location in a Building with Dwelling Units
In a CRE zone, no hotel room or suite may be located on the same storey as a dwelling unit.

(6) Place of Worship
In a CRE zone, a place of worship must be on a lot which has frontage on a major street as shown on the Policy Areas Overlay Map found in Section 995.15.

(7) Public Utility
In a CRE zone, a public utility must not be:
(A) a sewage treatment plant;
(B) a water filtration plant.

(8) Public Works Yard
In a CRE zone, a public works yard must be in a wholly enclosed building and there may be no open storage.

(9) Animal Shelter
In a CRE zone, an animal shelter must be the only use in the building.

(10) Laboratory
In a CRE zone, a laboratory may not be in a building with a dwelling unit.

(11) Contractor's Establishment
In a CRE zone, a contractor's establishment is subject to the following:
(A) heavy equipment and machinery such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment, and building and construction material may not be stored on the lot; and
(B) there may be no open storage of loose materials such as sand, gravel or concrete.

(12) Apparel and Textile Manufacturing
In a CRE zone, apparel and textile manufacturing must not be the manufacturing of leather products or chemical dyeing of cloth.

(13) Food Manufacturing
In a CRE zone, food manufacturing must be fruit and vegetable preserving, speciality food manufacturing and dairy product manufacturing, only in batch processing.

(14) Wood Product Manufacturing
In a CRE zone, wood product manufacturing must not be a:
(A) saw mill;
(B) planing mill; or
(C) wood distillation plant.

(15) Glass Product Manufacturing
In a CRE zone, only purchased glass may be used in glass product manufacturing.

(16) Certain Manufacturing Uses Not Located in a Building with a Dwelling Unit
In a CRE zone, the manufacturing of pharmaceuticals, medicine, plastic, or clay may not be located in a building that has a dwelling unit.

(17) Pharmaceutical and Medicine Manufacturing
In a CRE zone, pharmaceutical and medicine manufacturing is subject to the following:

(A) the use may only include assembly or manufacture of previously processed materials; and
(B) the use may not include the processing or combining of materials that alter the structure of the material.

(18) Plastic Product Manufacturing
In a CRE zone, a plastic product manufacturing use must:

(A) be the assembly or manufacture of previously processed materials;
(B) not process or combine materials that alter the structure of the material; and
(C) not include the manufacture of celluloid or pyroxylin.

(19) Clay Product Manufacturing
In a CRE zone, a clay product manufacturing use must:

(A) be manufacturing of pottery, ceramics and plumbing fixtures; and
(B) not be manufacturing blocks, bricks, beams, pipes, artificial abrasives, clay pit mining or other mined materials.

(20) Tourist Home
In a CRE zone, a tourist home must:

(A) be located in a townhouse, detached house, or a semi-detached house; and
(B) not have vehicle access by a mutual driveway.

(21) Outdoor Patio

(A) In a CRE zone, an outdoor patio must be combined with the following uses and comply with the requirements found in regulations (B) through (G) below:

Amusement Arcade
Cabaret
Club
Eating Establishment
Entertainment Place of Assembly
Nightclub
Place of Assembly
Recreation Use
Sports Place of Assembly
Take-out Eating Establishment.

(B) the maximum area of an outdoor patio is the greater of:

(i) 30 square metres; or
(ii) 30% of the interior floor area of the premises it is associated with;

(C) it may not be used to provide entertainment such as performances, music and dancing;

(D) it must be set back at least 30.0 metres from a lot in a Residential Zone category or Residential Apartment Zone category;

(E) despite regulation (D) above, an outdoor patio located above the first storey of the building, must be at least 40.0 metres, measured horizontally, from a lot in a Residential Zone category or Residential Apartment Zone category;

(F) an outdoor patio in the rear yard of a lot which abuts or is within 30.0 metres of a lot in a Residential Zone category or Residential Apartment Zone category must have a fence installed along the portion of the outdoor patio parallel to the rear lot line; and

(G) if the minimum distance of a lawfully existing outdoor patio on a lot is closer than the minimum distance requirements in (D) or (E) above, that lawful distance from a lot in a Residential Zone category or Residential Apartment Zone category is the minimum distance required for the lawfully existing outdoor patio.

(22) Vehicle Dealership
In a CRE zone, a vehicle dealership must comply with the specific use regulations in Section 150.90.

(23) Vehicle Fuel Station
In a CRE zone, a **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(24) **Vehicle Service Shop**

In a CRE zone, a **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(25) **Vehicle Washing Establishment**

In a CRE zone, a **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.

(26) **Day Nursery**

In a CRE zone, a **day nursery** must comply with the specific use regulations in Section 150.45.

(27) **School**

In a CRE zone, a **public school** and a **private school** must comply with the specific use regulations in Section 150.48.

(28) **Place of Assembly- Banquet Hall**

In a CRE zone, a **place of assembly** that is a banquet hall with an **interior floor area** greater than 1,000 square metres must be at least 300 metres from a **lot** in a Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the banquet hall is in combination with a **hotel**.

(29) **Group Home**

In a CRE zone, a **group home** must comply with the specific use regulations in Section 150.15.

(30) **Municipal Shelter**

In a CRE zone, a **municipal shelter** must comply with the specific use regulations in Section 150.22.

(31) **Amusement Arcade**

In a CRE zone, an **amusement arcade**:

(A) may be located in a **building** that has no residential uses permitted in Clause 50.10.20.10 or 50.10.20.20;

(B) may have no more than 36 **amusement devices**;

(C) must have a minimum **interior floor area** of 6.0 square metres for each **amusement device**; and

(D) must only be accessible from the interior of the **building**.

(32) **Eating Establishment**

In a CRE zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

(34) **Place of Worship**

In a CRE zone, a **place of worship** must comply with the specific use regulations in Section 150.50.

(35) **Seniors Community House**

In a CRE zone, a **seniors community house** must comply with the specific use regulations in Section 150.30.

(36) **Crisis Care Shelter**

In a CRE zone, a **crisis care shelter** must comply with the specific use regulations in Section 150.20.

(37) **Secondary Suite**

In a CRE zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

(38) **Private Home Daycare**

In a CRE zone, a **private home daycare**:

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

(B) any outdoor children’s play area associated with a **private home daycare** must:

(i) be fenced; and

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

(39) **Entertainment Place of Assembly, Sports Place of Assembly and Recreation Use- Amusement Device**

In a CRE zone, an **entertainment place of assembly**, a **sports place of assembly** or **recreation use**
may not have more than 12 amusement devices and these devices may not be located in a hallway, lobby or other pedestrian area if the amusement devices are in the same building as any one of these uses.

40. Rooming House
In a CRE zone, a rooming house must comply with the specific use regulations in Section 150.25.

41. Outdoor Sales or Displays
In a CRE zone, the outdoor sale or display of goods or commodities is subject to the following:

(A) it must be in combination with another permitted non-residential use;
(B) goods or commodities may be displayed no closer than 15.0 metres of a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category;
(C) the cumulative area used for the outdoor sale or display of goods or commodities may be no more than 250 square metres;
(D) the area used for the outdoor sale or display of goods or commodities may not be located on land required for parking, loading, driveways or landscaping; and
(E) there may be no storage or warehousing of goods in a vehicle.

42. Renewable Energy Production or Cogeneration Energy Production
In a CRE zone, renewable energy production or cogeneration energy production must be with a permitted use on the lot and comply with all municipal, provincial and federal by-laws, statutes and regulations.

43. Transportation Use
A building or structure located on a lot in an CRE zone and used as a transportation use must comply with all requirements in this By-law for a building on that lot.

44. Public Utility
In a CRE zone, a public utility, must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the CRE zone if it is:

(A) an electrical transformer station; or
(B) a natural gas regulator station.

50.10.40 Principal Building Requirements

50.10.40.1 General

1. King-Spadina Area- First Floor Elevation Requirement
If a building is located on a lot in 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 first floor of the building must be:

(A) at or within 0.6 metres above the height of the public sidewalk abutting the site; or
(B) from the elevation of the street abutting the site if there is no sidewalk.

2. Residential Use Orientation to Street
In a CRE zone, a building with a dwelling unit must not be located so that another building is between any main wall of the building and the street on which the building fronts.

3. Hotel Orientation To Street
In a CRE zone, no building may be used as a hotel if another building is located between it and the street on which the hotel fronts.

4. Building Orientation to a Street – Hotels and Buildings With Dwelling Units
In the CRE zone, a building, or an addition which is not attached above grade to the original part of a building, is not permitted if:

(A) it has dwelling units, rooms or suites in a hotel, and is in the rear of another building or the original part of the same building; or
(B) it is in front of a building, or the original part of the same building, has dwelling units, rooms or suites in a hotel, to produce the condition of a building having dwelling units, rooms or suites, in the rear of another building.

50.10.40.10 Height

(1) Maximum Height

In a CRE zone, the maximum height of a building or structure on a lot is the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map found in Section 995.5.

(2) Heritage Building Volume Permission Beyond Height Limit

In a CRE zone, a lot identified as a listed or designated heritage site may be permitted to exceed the permitted maximum height limit, subject to the following:

(A) the lot must be subject to an agreement pursuant to section 37 of the Planning Act, authorizing the increase in height in exchange for the conservation of all or part of a building identified and designated as a heritage site;

(B) the additional height may not be greater than 20% of the permitted maximum height;

(C) the part of the building exceeding the permitted maximum height may have a maximum total volume that does not exceed the values calculated as follows:

(i) if the façade of the heritage building facing a street is conserved, the building volume above the permitted maximum height is 6 times the area (length multiplied by height) of the portion of the façade that is conserved;

(ii) if there is no construction above the heritage building, the building volume above the permitted maximum height is equal to 1.5 times the volume of the retained part of the heritage building that is further than 3.0 metres from the façade of the heritage building facing a street;

(iii) if there is construction above a retained portion of the heritage building retained, the building volume above the permitted maximum height is equal to one times the volume of that retained part of the heritage building further than 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 permitted maximum height is equal to the volume determined by multiplying the height of the conserved heritage building by:

(a) the distance between the conserved heritage building and the adjacent building or structure measured at right angles from the heritage building; and

(b) the length of the portion of the conserved heritage building if a line projected at a right angle from the heritage building face intercepts the adjacent building or structure on the same lot.

(D) Any permitted building volume exceeding the permitted maximum height shown on the Height Overlay Map is subject to the following:

(i) it must comply with angular plane requirements, if the zone label refers to a CRE Site Specific Exception with the Prevailing Section 12(2) 260 of the former Zoning By-law of the City of Toronto By-law, By-law 438-86; or

(ii) if there are no angular plane requirements, the building may be no closer to a lot line than the original building setback for all portions of the main walls of the highest storey facing the same lot line and located below the permitted maximum height, plus 3.0 metres.

(E) the dimensions of a conserved heritage building in regulations (C) (ii), (iii), and (iv) above are measured between the exterior faces of the main walls and between the interior surface of the ceiling of the uppermost storey and the surface of the first floor of the conserved heritage building.

(F) Equipment, structures and parts of a building referred to in regulations 50.5.40.10 (3), 50.5.40.10 (4), 50.5.40.10(5), and 50.5.40.10 (6) are measured from the additional height permitted by the above regulations as if it is the permitted maximum height shown on the Height Overlay Map.
(3) Height Exemption - Mechanical Elements in King-Spadina Area

In a CRE zone, a building located in the area bounded by Queen Street West to the north, Simcoe Street to the east, Front Street West to the south, and Bathurst Street to the west, may exceed the permitted maximum height by 5.0 metres if:

(A) all stair towers, elevator shafts, and mechanical equipment are enclosed; and

(B) the additional 5.0 metre height does not penetrate the required angular plane for the lot.

50.10.40.11 Height Exemptions

(1) Permitted Maximum Height for Lawfully Existing Buildings

In the CRE zone, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height in this By-law, that lawful height is the permitted maximum height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings -- Maximum Height

Any addition or extension to a lawfully existing building or structure referred to in regulation 50.10.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

50.10.40.30 Building Depth

(1) Maximum Building Depth

In a CRE zone, no portion of a building may be set back more than 50.0 metres from a lot line that abuts a street.

50.10.40.31 Building Depth Exemptions

(1) Permitted Building Depth for Lawfully Existing Buildings

In the CRE zone, if the lawful building depth of a lawfully existing building or structure is greater than the permitted maximum building depth in this By-law, that lawful building depth is the permitted maximum building depth for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure referred to in regulation 50.10.40.31 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

50.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space Requirement for Buildings with 20 or more Dwelling Units

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

(A) at least 2.0 metres for each dwelling unit is indoor amenity space;

(B) at least 40.0 square metres is outdoor amenity space in a location adjoining or directly accessible to the indoor amenity space; and

(C) no more than 25% of the outdoor component may be a green roof.

50.10.40.51 Decks, Platforms and Amenities Exemptions

(1) Required Amenity Space for Lawfully Existing Buildings with 20 or more dwelling units

In a CRE zone, if a lawfully existing building or structure with 20 or more dwelling units has not provided the amenity space required by this By-law, the lawfully existing building or structure does
not have to comply with that particular amenity space requirement.

50.10.40.60 Permitted Encroachments

(1) Permitted Encroachments- Decks, Porches and Balconies
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 building, is subject to the following:

(A) a platform with a floor no higher than the first floor of the building may encroach into the required building setback the lesser of 2.5 metres or 50% of the required building setback if it is no closer to a lot line than 0.3 metres; and

(B) a platform with a floor that is higher than the first floor of the building may encroach into the required building setback 1.5 metres.

(2) Permitted Encroachments- Canopies and Awnings
In a CRE zone a canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with regulation 50.10.40.60 (1), may encroach into a required building setback for the building:

(A) 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 building setback as follows:

(i) in a rear yard, the lesser of 2.5 metres or 50% of the required rear yard setback, if it is no closer to a side lot line than the required side yard setback;

(ii) in a side yard that does not abut a street, a maximum of 1.5 metres, if it is at least 0.3 metres from the side lot lines; and

(iii) in a front yard or side yard that abuts a street, in compliance with Regulation 50.5.40.60 (1).

(3) Permitted Encroachments- Exterior Stairs, Access Ramp and Elevating Device
In a CRE zone:

(A) exterior stairs providing access to a building or structure may encroach into a required building setback, if the stairs are:

(i) no longer than 1.5 horizontal units for each 1.0 vertical unit above grade at the point where the stairs meet the building or structure;

(ii) no wider than 2.0 metres; and

(iii) no closer to a lot line than 0.3 metres.

(B) an uncovered ramp providing access to a building or structure may encroach into a required building setback, if the ramp is:

(i) no longer than 12 horizontal units for each 1.0 vertical unit above grade at the point where the ramp meets the building or structure;

(ii) no wider than 1.5 metres for each sloped ramp segment; and

(iii) no closer to a lot line than 0.3 metres;

(C) an elevating device providing access to a building or structure may encroach into a required building setback, if the elevating device:

(i) elevates no higher than the first floor of the building;

(ii) has a maximum area of 3.0 square metres; and

(iii) is no closer to a lot line than 0.3 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 building, may encroach into a required building setback a maximum of 0.15 metres, if the building is at least 5 years old.

(5) Permitted Encroachments- Architectural Features
In a CRE zone architectural features on a building must comply with the following:

(A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature on a building may encroach into a required building setback a maximum of 1.0 metres, if it is no closer to a lot line than 0.3 metres.

(B) a chimney breast, on a building, may encroach into a required building setback a maximum of 0.6 metres, if it is:
   (i) no wider than 2.0 metres; and
   (ii) no closer to a lot line than 0.3 metres.

(6) Permitted Encroachments- Window Projections
In a CRE zone, a bay window, box window, or other window projection from a main wall of a building, which increases floor area or enclosed space 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 features in total do not occupy more than 65% of the width of the front main wall or rear main wall at each storey; and

(B) into a required 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) Permitted Encroachments- Equipment
In a CRE zone, the following wall mounted equipment may encroach into a required building setback as follows, if they are no closer to the lot line than 0.3 metres:

(A) an air conditioner a maximum of 0.9 metres into the rear yard setback or side yard setback, if it is not located above the first floor;

(B) a satellite dish, a maximum of 0.9 metres;

(C) an antennae or pole used to hold an antennae, a maximum of 0.9 metres into the rear yard setback or side yard setback; and

(D) a vent or pipe, a maximum of 0.6 metres into a rear yard setback or side yard setback.

(8) Permitted Encroachments for Particular Building Setbacks
In a CRE zone, the permitted encroachments in regulations 50.10.40.60 (1), 50.10.40.60 (2), 50.10.40.60 (5), and 50.10.40.60 (6) may encroach into the following required building setbacks:

(A) a side yard setback and rear yard setback as set out in regulation 50.10.40.70 (1);

(B) a required building setback from a lot in a Residential Zone category or Residential Apartment Zone category set out in regulation 50.10.40.70 (2); and

(C) a separation distance between exterior main walls of buildings as set out in regulation 50.10.40.80 (1).

50.10.40.70 Setbacks

(1) Side Yard Setback and Rear Yard Setback
In a CRE zone, the minimum building setback from a side lot line or rear lot line is 7.5 metres, excluding any part of the building or structure that is less than 25.0 metres from a lot line abutting a street or park.

(2) Building Setback from a Lot in a Residential Zone
In a CRE zone, any part of a building or structure with height greater than 4.0 metres, must be set back at least 3.0 metres from any lot line that abuts a lot entirely within a Residential Zone category or Residential Apartment Zone category.

(3) Building Setback from a Lane
In a CRE zone where a lot abuts a lane, the minimum building setback from a side lot line or rear lot line that abuts the lane is 7.5 metres measured from the original centreline of the lane, excluding any part of the building or structure that is less than 25.0 metres from a lot line abutting a street or park.
(4) Heritage building - Setback of new construction above a heritage building

In a CRE zone, a lot with a building identified and designated as a heritage site, any portion of a building which exceeds the height of the conserved heritage building, whether an addition above the conserved heritage building or as a separate building on the same lot, must be set back from a lot line that abuts a street to the original building setback of the conserved heritage building from a lot line that abuts a street, plus 3.0 metres.

(5) Building Setback for Upper Building Level Facing A Street

In a CRE zone, the minimum building setback from a lot line that abuts a street is:

(A) 3.0 metres for the portion of the building or structure which exceeds a height of 20.0 metres; or
(B) 3.0 metres for the portion of the building or structure which exceeds a height of 16.0 metres for a lot that fronts King Street East.

(6) Building Setbacks Below Grade

Despite regulation 5.10.40.70 (2), in a CRE zone, required building setback requirements do not apply to the parts of a building or structure that are above grade.

50.10.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the CRE zone, if the lawful building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:

(A) a rear lot line, that lawful building setback is the minimum rear yard setback permitted for that building or structure; or
(B) a side lot line, that lawful building setback is the minimum side yard setback permitted for that building or structure.

(2) Required Setbacks for Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure referred to in regulation 50.10.40.71 (1) must comply with the minimum building setbacks required by this By-law or be authorized by a Section 45 Planning Act minor variance.

50.10.40.80 Separation

(1) Distance Between External Walls of Buildings

In a CRE zone, if a building has main walls facing each other or facing the main walls of another building on the same lot and a line projected at a right angle from one of these main walls intercepts the other main wall, the minimum above ground distance between them is 11.0 metres.

(2) Distance Between Windows of Buildings in King-Spadina

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 the windows is 15.0 metres.

(3) Distance Between Windows of Buildings in King-Spadina

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 the windows and another main wall without windows or a lot line that does not abut a street or park is 7.5 metres.

50.10.40.81 Separation Exemptions

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

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

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 50.10.40.81 (1) must comply with the minimum separation distance between main walls required by this By-law or be authorized by a Section 45 Planning Act minor variance.

50.10.50 Yards

50.10.50.10 Landscaping

(1) Landscaping Requirement When Abutting a Lot in a Residential Zone Category
If a lot in a CRE zone abuts a lot in a Residential Zone category or Residential Apartment Zone category, a minimum 1.5 metre wide strip of soft landscaping must be provided along the part of the lot line abutting the lot in the Residential Zone category or Residential Apartment Zone category.

(2) Abutting a Lot in a Residential or Residential Apartment Zone - Fence Requirement
If a lot in a CRE zone abuts a lot in a Residential Zone category or a Residential Apartment Zone category, a fence must be installed along the portion of a lot line abutting the lot in the Residential Zone category or Residential Apartment Zone category.

50.10.80 Parking

50.10.80.1 General

(1) Outdoor Parking Restriction
In a CRE zone, an outdoor parking area with 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 or Residential Apartment 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 in combination with another permitted use in the building or structure; and

(B) any portion of the building or structure facing a street and less than 4.0 metres above the elevation of that lot line abutting the street, must have permitted uses other than the parking or storing of vehicles, to a minimum depth of 10.0 metres from the main wall, along the entire length of the main wall, except for vehicle access.

(3) CRE Zone Parking Space Allocation Mixed Use Building
In a CRE zone, if a building has both residential and non-residential uses and has less than 25 dwelling units, a minimum of one-third (1/3) of the total parking spaces required for all the uses in the building must be available to all occupants of or visitors to the building, without assigning any of those parking spaces for exclusive use.

50.10.80.10 Location

(1) CRE Zone Parking Restriction
In a CRE zone, no vehicle may be parked or stored in the front yard, at or above the natural level of the established grade.

50.10.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
A parking space not located in a building or structure must be set back at least 0.5 metres from a lot line and not be located on any portion of the lot used for soft landscaping.

50.10.90 Loading

50.10.90.10 Location

(1) Loading Space Location
   A loading space may not be located in:
   (A) a front yard;
   (B) a side yard abutting a street; or
   (C) any yard that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

50.10.90.11 Location Exemptions

(1) Loading Space Location Exemption
   If a lawfully existing building does not comply with the loading space location requirements of regulation 50.10.90.10 (1), a lawful loading space is exempt from the requirements of regulation 50.10.90.10 (1).

50.10.90.40 Access to Loading Space

(1) Access to Loading Space - Restrictions
   In a CRE Zone:
   (A) where a lot abuts a lane, access to a loading space must be from the lane; and
   (B) where a corner lot does not abut a lane and it has at least one lot line abutting a street which is not a major street as shown on the Policy Areas Overlay Map found in Section 995.15, 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
   In a CRE zone, where a lot abuts a lot in a Residential Zone category or Residential Apartment Zone category, access to the loading space must not be through any part of a lot in a Residential Zone category or Residential Apartment Zone category.

(3) Access Through a Main Wall to a Loading Space
   A loading space located in a building must not have its access through a main wall that faces a street.

50.10.90.41 Access to Loading Space Exemptions

(1) Access Through a Main Wall to a Loading Space Exemption
   If a lawfully existing building has a lawful loading space access in a main wall that does not comply with the loading space location requirements of regulation 50.10.90.40 (3), that lawful loading space is exempt from the requirements of regulation 50.10.90.40 (3).

50.10.100 Access to Lot

50.10.100.10 Location

(2) Access to 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 or Residential Apartment Zone category:
   (A) access to a parking space may not be through any part of a lot in a Residential Zone category or
Residential Apartment Zone category; and
(B) a parking space must be set back at least 1.5 metres from a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

50.10.150 Waste

50.10.150.1 General

(1) Waste and Recyclable Materials Storage

(A) In a CRE zone, for a building constructed pursuant to a building permit issued three years after the date of passage of this by-law, all waste and recyclable material must be stored in a wholly enclosed building;

(B) where the waste and recyclable material is stored in an ancillary building, the ancillary building:

(i) must not be located in a side yard that abuts a street or in a front yard; and

(ii) must be located at least:

(a) 7.5 metres from a lot in a Residential Zone category, Residential Apartment Zone category or Open Space Zone category; and

(b) 1.0 metres from all other side lot lines and rear lot lines.

Chapter 60 Employment Industrial

60.5 Regulations applying to the Employment - Industrial Zone Category

60.5.1 General

60.5.1.10 Interpretation

(1) Application of General Regulations Section

The regulations contained in Section 60.5 apply to all lands, uses, buildings and structures in the Employment Industrial Zone category.

60.5.20 Permitted Uses

60.5.20.1 General

(1) Firearm Manufacturing

The making of a firearm or any part of a firearm is not a permitted use under the term of a manufacturing use in this By-law.

(2) Firearms Manufacturing Interpretation
A gunsmith or custom workshop that makes a firearm is a manufacturing use and must comply with regulation 60.5.20.1 (1) of this By-law.

(3) Firearm Manufacturing for the Entertainment Industry
Despite regulations 60.5.20.1 (1) and (2) of this By-law, the making of a firearm or any part of a firearm for use in a motion picture or television show is not a manufacturing use for the purposes of this By-law.

60.5.30 Lot Requirements

60.5.30.1 General

(1) Employment Industrial Lands Abutting Highway 400 and Highway 404
On a lot in the Employment Industrial Zone category abutting Highway 400 or Highway 404:
(A) The lot line and the yard that abut either of these highways is the front lot line and front yard;
(B) front lot line and front yard requirements in this By-law for the zone in which the lot is located apply to the lot line and yard that abuts these Highways;
(C) loading and parking are permitted in a yard that abuts a street;
(D) open storage may be located in a yard that abuts a street if it complies with the use conditions for open storage found in each zone of the Employment Industrial Zone category.

60.5.40 Principal Building Requirements

60.5.40.1 General

(1) Building Requirements
Additional building requirements are in each zone in the Employment Industrial Zone category.

(2) Access Restrictions if Lot is Separated from Residential Lots by a Lane or a Narrow Street
If the rear lot line or side lot line of a lot in the 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 Buildings in the Employment Industrial Zone Category
In the Employment Industrial Zone category, the height of a building is the distance between the average grade along the front lot line and the highest point of the building.

(2) Determining the Height of Structures in Employment Industrial Zones
In the Employment Industrial Zone category, the height of a structure that is not a building is the distance between the average grade around the structure and the elevation of the highest point of the structure.

(3) Height of Structures - Chimney Stacks, Scrubbers and Pollution Abatement Equipment
In the Employment Industrial Zone category:
(A) the following structures may exceed the permitted maximum height for a building:
   (i) free-standing or roof-top chimney stacks;
   (ii) scrubbers; or
   (iii) other pollution abatement equipment.
(B) the following structures located on the roof of a building, may exceed the permitted maximum height for that building by 5.0 metres:

(i) antennae;  
(ii) flagpoles; and  
(iii) satellite dishes.

(4) Height of Elements for Functional Operation of a Building  
In the Employment Industrial Zone category, the following equipment, structures and parts of a building on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres, subject to regulation 60.5.40.10 (5):

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

(5) Limits on Elements for Functional Operation of a Building  
In the Employment Industrial Zone category, equipment, structures or parts of a building exceeding the maximum height for a building, as permitted by regulation 60.5.40.10 (4), must comply with the following:

(A) the total area of all equipment, structures and parts of a building together may cover no more than 30% of the area of the roof, measured horizontally; and  
(B) for equipment, structures and parts of a building located within 6.0 metres of a lot line abutting a street, their total horizontal dimension, measured parallel to the street, may not exceed 20% of the width of the building’s main walls facing that street.

(6) Height of Rooftop Outdoor Recreation, Safety and Wind Protection  
In the Employment Industrial Zone category, unenclosed structures providing safety or wind protection to rooftop recreational uses may exceed the maximum height permitted for that building by 3.0 metres, if the structures are no closer than 2.0 metres from the interior face of any main wall.

60.5.40.40 Floor Area  

(1) Gross Floor Area Calculations for a Non-residential Building in a Employment Industrial Zone Category  
In the Employment Industrial Zone category the gross floor area of a non-residential building may be reduced by the area used for:

(A) parking, loading, and bicycle parking below established grade;  
(B) loading spaces and bicycle parking at established grade;  
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;  
(D) voids at the level of each floor with a manufacturing use;  
(E) shower facilities required by this By-law for required bicycle parking spaces;  
(F) elevator shafts, ventilation duct, utility shafts;  
(G) utility areas, catwalks, service platforms and a mechanical penthouse; and  
(H) exit stairwells and escalators in the building.

(2) Floor Space Index Calculation in the Employment Industrial Zone Category  
In the Employment Industrial Zone category the floor space index for a non-residential building is the result of the gross floor area minus the areas listed in regulation 60.5.40.40 (1) divided by the area of the lot.

60.5.40.41 Floor Area Exemptions
1. **Permitted Floor Space Index for Lawfully Existing Buildings**

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

2. **60.5.40.60 Permitted Encroachments**

   1. **Canopies and Awnings**

      In the Employment Industrial Zone category, a canopy, awning or similar **structure**, with or without structural support, may encroach into a required **building setback** that abuts a **street**, if no part of the canopy, awning or similar **structure** is located more than 5.0 metres above the elevation of the grade directly below it.

3. **60.5.40.70 Setbacks**

   1. **Building or Structure to be Set Back from a Lane**

      A **building** or **structure** in the Employment Industrial Zone category may be:

      (A) no closer than 3.0 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is not in a Residential Zone category, Residential Apartment Zone Category or Open Space Zone category; and

      (B) no closer than 3.5 metres from the original centreline of a **lane** if the **lot** abutting the other side of the **lane** is in a Residential Zone category, Residential Apartment Zone Category or Open Space Zone category.

4. **60.5.40.71 Setbacks Exemptions**

   1. **Permitted Setbacks for Lawfully Existing Buildings from a Lane**

      In the Employment Industrial Zone category, if the **building setback** of a lawfully existing building is less than the minimum **building setback** required by this By-law from a **lane**, that lawfully existing **building setback** from the original centreline of the **lane** is the minimum **building setback** from the original centreline of the **lane** permitted for that **building**.

   2. **Additions Above Lawfully Existing Buildings in Relation to a Lane**

      The minimum **building setback** from the original centreline of a **lane** for any addition or extension above a lawfully existing **building** or **structure** referred to in regulation 60.5.40.70 (1) is the minimum **building setback** from the original centreline of the **lane** permitted by regulation 60.5.40.70 (1).

5. **60.5.50 Yards**

6. **60.5.50.10 Landscaping**

   1. **Fencing Requirement When Abutting a Lot in a Residential Zone Category or Residential Apartment Zone Category**

      If a **lot** in the Employment Industrial Zone category abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category, a fence must be installed along the part of the **lot line** that abuts the **lot** in the Residential Zone category or the Residential Apartment Zone category.

   2. **Landscaping Requirement when Abutting a Lot in a Residential Zone Category or Residential Apartment Zone Category**

      If a **lot** in the Employment Industrial Zone category abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, a minimum 7.5 metre wide strip of landscaping must be provided along the part of the **lot line** that abuts the **lot** in the Residential Zone category or Residential Apartment Zone category.
60.5.75 Energy Regulations

60.5.75.1 General

(1) **Renewable Energy Device - Location Restriction**
In the Employment Industrial Zone category, a device producing renewable energy on a lot may not be located in a front yard or side yard that abuts a street.

(2) **Renewable Energy Device - Height Requirements**
In the Employment Industrial Zone category, a photovoltaic solar energy device or a thermal solar energy device:

(A) located on a building:

(i) must comply with the minimum building setback requirements, and

(ii) no part of the device may be higher than 3.0 metres above the permitted maximum height for the building; and

(B) if ground mounted, must comply with the requirements in this By-law for a building or structure on the lot.

(3) **Wind Energy Device - Setbacks**
In the Employment Industrial Zone category, a wind energy device must comply with the building setback requirements for a building on the lot.

(4) **Wind Energy Device - Height**
In the Employment Industrial Zone category, no part of a wind energy device may exceed the permitted maximum height for a building by:

(A) 3.0 metres if:

(i) it is located on a lot that abuts a lot in a Residential Zone category or Residential Apartment Zone category; or

(ii) the building is less than 15.0 metres in height; and

(B) 20.0 metres in all other cases.

(5) **Geo-energy Device Requirements**
In the Employment Industrial Zone category, any above-ground part of a geo-energy device must comply with the requirements in this By-law for a building or structure on a lot.

(6) **Cogeneration Device**
In the Employment Industrial Zone category, a cogeneration energy device may be located outside a building on the same lot if it:

(A) is not located in a street yard; and

(B) complies with the building setback requirements for a building.

60.5.80 Parking

60.5.80.1 General

(1) **Calculation of Parking Space Rates for Manufacturing Uses**
For the purpose of calculating the number of required parking spaces for a manufacturing use on a lot in the Employment Industrial Zone category, the gross floor area of a building used for manufacturing use, is reduced by the floor area used for the following:

(A) parking, loading and bicycle parking;

(B) access to a parking space or a loading space;

(C) storage rooms or washrooms located in the basement;

(D) voids at the level of each floor with a manufacturing use;
(E) shower facilities required by this By-law for required **bicycle parking spaces**;
(F) elevator shafts, ventilation duct, utility shafts;
(G) utility areas, catwalks, service platforms and a mechanical penthouse; and
(H) exit stairwells and escalators in the **building**.

(2) **Required Parking Space**

In the Employment Industrial Zone category, a **parking space** required by this By-law must be available for the use for which it is required.

### 60.5.80.10 Location

(1) **Parking in Street Yard**

In the Employment Industrial Zone category a required **parking space** in a **street yard** is subject to the following:

- (A) the **parking space** must be at least 3.0 metres from the **front lot line** and **side lot lines**; and
- (B) the **parking space** must be at a right angle to the **driveway** that provides access from the **street** to a parking area.

(2) **Location of Parking Spaces**

In the 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** and thereafter 2 **parking spaces** for each additional 15.0 metres of **main wall** that abuts the yard containing the **parking spaces**;
- (B) in a **side yard** that does not abut a **street**; and
- (C) in a **rear yard**.

(3) **Location of Required Parking Spaces**

A **parking space** must be located on the same **lot** as the use for which the **parking space** is required.

### 60.5.80.11 Location Exemptions

(1) **Parking Location Off-site Parking Exemption**

If required **parking spaces** for a **lawfully existing building** are lawfully located on a **lot** that is not the same **lot** as the use for which the **parking spaces** are required, those **lawful parking spaces** may continue to be provided on another **lot** for that **lawfully existing building**.

(2) **Parking Location – Front Yard and Side Yard Parking Exemption**

If a **lawfully existing building** has **lawful parking spaces** in the **front yard** or **side yard**, regulation 60.5.80.10 does not apply to those **lawful parking spaces**.

### 60.5.80.20 Setbacks

(3) **Building Setback from a Lot in the Residential Zone category or Residential Apartment Zone category**

In the Employment Industrial Zone category a **parking space** and **drive aisle** must be at least 7.5 metres from a **lot line** that abuts a **lot** in a Residential Zone category or Residential Apartment Zone category.

### 60.5.90 Loading

#### 60.5.90.1 General

(1) **Calculation of Loading Space Rates for Manufacturing Uses**

For the purpose of calculating the number of required **parking spaces** for a **manufacturing use** on a **lot** in the Employment Industrial Zone category, the **gross floor area** of a **building** used for **manufacturing**
use is reduced by the floor area used for the following:

(A) parking, bicycle parking and loading;
(B) access to parking space or loading space;
(C) storage rooms or washrooms located in the basement;
(D) voids at the level of each floor with a manufacturing use;
(E) shower facilities required by this By-law for required bicycle parking spaces;
(F) elevator shafts, ventilation duct, utility shafts;
(G) utility areas, catwalks, service platforms and a mechanical penthouse; and
(H) exit stairwells and escalators in the building.

60.5.100 Access to Lot

60.5.100.1 General

(1) Driveway Widths
In the Employment Industrial Zone category any portion of the driveway must have:

(A) a minimum width of 6.0 metres; and
(B) a maximum width of 11.0 metres for a minimum depth of 3.0 metres measured from the lot line abutting the street.

60.5.100.10 Location

(2) Driveway Access Through Landscaping
In the Employment Industrial Zone category a driveway may cross a required landscaping area.

(6) Access Location if Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category
If a lot in the Employment Industrial Zone category abuts a lot in the Residential Zone category or Residential Apartment Zone category, access to the lot may not be through any part of a lot in the Residential Zone category or Residential Apartment Zone category.

(8) Access to Loading Restrictions Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category
If a lot in the Employment Industrial Zone category abuts a lot in the Residential Zone category or Residential Apartment Zone category, access to the loading space may not be through any part of a lot in the Residential Zone category or Residential Apartment Zone category.

60.10 Employment Light Industrial Zone (EL)

60.10.1 General

60.10.1.10 Interpretation

(1) Application of This Section
The regulations in Section 60.10 apply to all lands, uses, buildings and structures in an EL zone.

(2) Interpretation of the Employment Light Industrial Zone Symbol
The zone symbol on the Zoning By-law Map for zones in the Employment Light Industrial Zones consists of the letters EL indicating the primary land use permitted in the respective zone.

(3) Interpretation of the EL Zone Label
In an EL zone, the numerical value following the zone symbol in the zone label indicates the maximum floor space index of all land uses on a lot.
60.10.20 Permitted Uses

60.10.20.1 General

(1) Existing Place of Worship
A lawfully existing place of worship on a lot in an EL zone is permitted on that lot, and:

(A) any expansion or addition to the place of worship building must comply with the applicable requirements of Section 150.50 and the requirements for the zone in which the lot is located; and

(B) the lawfully existing place of worship may be replaced with a new place of worship building that complies with the requirements of Section 150.50 and the requirements for the zone in which the lot is located.

(2) Sorting Activities in an Enclosed Building
In an EL zone, the separating or sorting of recyclable materials must take place within a wholly enclosed building.

60.10.20.10 Permitted Use

(1) Use – EL Zone
In an EL zone, the following uses are permitted:

- Ambulance Depot
- Artist Studio
- Automated Banking Machine
- Bindery
- Carpenter’s Shop
- Cold Storage
- Custom Workshop
- Dry Cleaning or Laundry Plant
- Financial Institution
- Fire Hall
- Industrial Sales and Service Use
- Laboratory
- Office
- Park
- Performing Arts Studio
- Police Station
- Production Studio
- Self-storage Warehouse
- Service Shop
- Warehouse
- Wholesaling Use.

60.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions – EL Zone
In an EL zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.10.20.100:

- Apparel and Textile Manufacturing (8)
- Beverage Manufacturing (8)
- Cogeneration Energy Production (17)
- Contractor’s Establishment (7)
- Eating Establishment (5,14)
- Education Use (4)
- Food Manufacturing (8, 10)
- Furniture Manufacturing (8)
Metal Products Manufacturing (8)  
Open Storage (12)  
Plastic Product Manufacturing (8)  
Printing Establishment (8)  
Public Utility (18,20)  
Recreation Use (1)  
Renewable Energy Production (17)  
Retail Store (5)  
Software Development and Processing (2)  
Take-out Eating Establishment (5,16)  
Transportation Use (19)  

60.10.20.100 Conditions

(1) Recreation Use
In an EL zone, a golf driving range is a permitted Recreation Use if:
(A) the lot is at least 70 metres from a lot in a Residential Zone category or Residential Apartment Zone category; and
(B) there is a fence between the use and all lot lines.

(2) Software Development and Processing
In an EL zone, the interior floor area of a software development and processing use may not exceed 5,000 square metres.

(4) Education Use
In an EL zone, education use is subject to the following:
(A) the use must be for technical and trade skills development for the use and operation of manufacturing equipment and machinery;
(B) the maximum floor space index must not exceed the lesser of:
   (i) 0.5; or
   (ii) the maximum permitted floor space index shown on the Zoning Map.

(5) Retail Store, Eating Establishment and Take-out Eating Establishment
In an EL zone, a retail store, eating establishment and take-out eating establishment:
(A) must be in combination with a permitted manufacturing use;
(B) must be separated from the permitted manufacturing use by a floor-to-ceiling wall that prevents public access; and
(C) the total interior floor area of all retail stores, eating establishments, and take-out eating establishments on a lot may not exceed 20% of the gross floor area of a permitted manufacturing use.

(7) Contractor's Establishment
In an EL zone, a contractor's establishment may not store heavy equipment such as cranes, ploughs, tractors, pile drivers, road making, wrecker's or steel erector's equipment on the lot.

(8) Printing Establishment and Manufacturing Use - Interior Floor Area
In an EL zone, the interior floor area of a printing establishment and all manufacturing uses listed in Clause 60.10.20.20 on a lot must be the lesser of:
(A) 5,000 square metres; or
(B) an area equal to the maximum permitted floor space index for the lot.

(10) Food Manufacturing
In an EL zone, food manufacturing must be the processing, packaging or baking of foods that are not meats, fish, dairy products, or brewing or pickling of foods.

(12) Open Storage
(A) In an EL zone, open storage must:
   (i) be in combination with a permitted manufacturing use;
   (ii) not be located in a yard of a lot that abuts a lot in the Residential Zone category or the Residential Apartment Zone category;
   (iii) not be located in the front yard of the lot;
   (iv) be located no less than 7.5 metres from any lot line;
   (v) be no more than 10% of the lot area;
   (vi) be no more than the permitted maximum height of a building on the lot; and
   (vii) be enclosed by a fence.

(B) In an EL zone, open storage may contain recyclable material and waste.

(14) Eating Establishment
   In an EL zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(16) Take-out Eating Establishment
   In an EL zone, a take-out eating establishment must comply with the specific use regulations in Section 150.100.

(17) Renewable Energy Production or Cogeneration Energy Production
   In an EL zone, renewable energy production or cogeneration energy production must be with a permitted use on the lot, and complies with all municipal, provincial and federal by-laws, statutes and regulations.

(18) Public Utility
   In an EL zone, a public utility must not be a sewage treatment plant.

(19) Transportation Use
   A building or structure located on a lot in an EL zone and used for the purpose of a transportation use must comply with all applicable regulations for a building on that lot.

(20) Public Utility
   In an EL zone, a public utility, must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the EL zone if it is:
   (A) an electrical transformer station; or
   (B) a natural gas regulator station.

60.10.30 Lot Requirements

60.10.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in a EL zone
   In an EL zone, the minimum lot frontage is 15.0 metres.

60.10.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots
   In an EL zone, if the lawful lot frontage of a lawfully existing lot is less than the minimum lot frontage required by this By-law, that lawful lot frontage is the permitted minimum lot frontage for that lot.

(2) Additions to Lawfully Existing Buildings
   Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 60.10.30.21 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.
60.10.40 Principal Building Requirements

60.10.40.10 Height

(2) Maximum Height - EL Zone
In an EL zone, if a lot is in an area that:
(A) has a numerical value following the letters "HT" on the Height Overlay Map, the maximum height of a building or structure on the lot is the numerical value following the letters "HT", in metres; or
(B) has no numerical value on the Height Overlay Map, the maximum height of a building or structure on the lot is 18.5 metres.

(3) Height of Buildings and Structures - Green Roof
In an EL zone, a parapet wall used a green roof may exceed the permitted maximum height for a building by 2.0 metres

60.10.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings
In an EL zone, if the lawful height of a lawfully existing building or structure is greater than the maximum height permitted by this By-law, that lawful height is the permitted maximum height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings -- Height
Any addition or extension to a lawfully existing building or structure referred to in regulation 60.10.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

60.10.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in an EL Zone
In an EL zone, the minimum front yard setback is 6.0 metres.

(2) Minimum Side Yard Setback for Lots in an 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 Yard Setback for Lots in an EL Zone
In an EL zone, the minimum rear yard setback is 7.5 metres.

(5) Minimum Setback for Lots in an EL Zone abutting the Residential Zone Category or Residential Apartment Zone Category
In an EL zone:
   (A) the minimum building setback from a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category is 15.0 metres; and
   (B) a structure that is not a building may be no closer than 15.0 metres from a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

60.10.40.71 Setbacks Exemptions
(1) Permitted Setbacks for Lawfully Existing Buildings
In an EL zone, if the building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:

(A) a front lot line, that lawful front yard setback is the minimum front yard setback permitted for that building or structure;

(B) a rear lot line, that lawful rear yard setback is the minimum rear yard setback permitted for that building or structure; or

(C) a side lot line, that lawful side yard setback is the minimum side yard setback permitted for that building or structure.

(2) Required Setbacks for Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 60.10.40.71 (1) may be set back from the front lot line, rear lot line or side lot lines to the same extent as the main walls of the lawfully existing building structure or as authorized by a Section 45 Planning Act minor variance.

(3) Building Setback Exemptions for Loading at Railway Tracks in an EL zone
Despite regulations 60.10.40.70 (2) and (4), in an EL zone, a building or structure used for loading or unloading of railway cars has no required building setback from a side lot line or rear lot line that abuts the railway right-of-way.

60.10.50 Yards

60.10.50.10 Landscaping

(2) Soft Landscaping: Street Lot Line Requirement
In an EL zone, any lot line abutting a street must have a minimum 3.0 metre wide strip of soft landscaping along the entire length of the lot line, excluding lands used for driveways and walkways.

60.10.60 Ancillary Buildings and Structures

60.10.60.1 General

(1) Ancillary Building and Structure - Compliance
In an EL Zone, ancillary buildings and structures must comply with the requirements for a building or structure.

60.10.60.10 Location

(1) Location of Buildings or Structures Used for the Purpose of a Gatehouse, Scale, Weigh-house, Fire Pump House or Other Security Purpose in an EL Zone
In an EL zone, a building or structure used as a gatehouse, scale, weigh-house, fire pump house or other security purpose is:

(A) permitted in the front yard; and

(B) not subject to minimum front yard, side yard and rear yard building setback requirements.

60.10.80 Parking

60.10.80.1 General

(1) Applicable Parking Rate - Retail Store, Eating Establishment, and Take-out Eating Establishment
In an EL zone, the parking space requirement for a retail store, eating establishment, and take-out
**eating establishment**, that is in combination with a **manufacturing use**, is calculated at the same rate as the permitted **manufacturing use** located on the **lot**.

### 60.10.80.20 Setbacks

(1) **Parking Space to be Set Back from a Lot Line**  
A **parking space** not located in a **building** must be at least 0.5 metres from a **lot line**.

### 60.10.90 Loading

### 60.10.90.10 Location

(1) **Loading Space Location**  
A **loading space** may not be located in:

- (A) a **front yard**;
- (B) a **side yard** abutting a **street**; or
- (C) a yard that abuts a **lot** in a Residential Zone category or Residential Apartment Zone category.

### 60.10.90.11 Location Exemptions

(1) **Loading Space Location Exemption**  
If a **lawfully existing building** does not comply with the **loading space** location requirements in regulation 60.10.90.10(1), a **lawful loading space** is exempt from the requirements in regulation 60.10.90.10(1).

### 60.10.90.40 Access to Loading Space

(1) **Access to Loading Space on a Lot in 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 major **street** identified on the Policy Areas 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.

(2) **Access Through a Main Wall to a Loading Space**  
A **loading space** located in a **building** may not have its access through a **main wall** that faces a **street**.

### 60.10.90.41 Access to Loading Space Exemptions

(1) **Existing Access to Loading Space Exemption for Buildings on Lots in an EL Zone**  
In an EL zone, if a **lawfully existing building** has a **lawful** access to a **loading space** that does not comply with regulation 60.10.90.40 (1) or article 220.5.20, that **lawful** access is permitted.

(2) **Access Through a Main Wall to a Loading Space Exemption**  
If a **lawfully existing building** has **lawful** a **loading space** access in a **main wall** that faces a **street**, that **lawful** access to the **loading space** is exempt from regulation 60.10.90.40 (2).

### 60.20 Employment Industrial Zone (E)
60.20.1 General

60.20.1.10 Interpretation

(1) Application of This Section
The regulations in Section 60.20 apply to all lands, uses, buildings and structures in an E zone.

(2) Interpretation of the Employment Industrial Zone Symbol
The zone symbol on the Zoning By-law Map for Employment Industrial Zones consists of the letter E indicating the primary land use permitted in the respective zone.

(3) Interpretation of the E Zone Label
In an E zone, the numerical value following the zone symbol in the zone label indicates the maximum floor space index of all land uses on a lot.

60.20.20 Permitted Uses

60.20.20.1 General

(2) Sorting Activities in an Enclosed Building
In an E zone, the separating or sorting of recyclable materials must take place within a wholly enclosed building.

60.20.20.10 Permitted Use

(1) Use – E Zone
In an E zone, the following uses are permitted:

Ambulance Depot
Animal Shelter
Artist Studio
Automated Banking Machine
Bindery
Building Supply Yards
Carpenter’s Shop
Cold Storage
Contractor’s Establishment
Custom Workshop
Dry Cleaning or Laundry Plant
Financial Institution
Fire Hall
Industrial Sales and Service Use
Kennel
Laboratory
Manufacturing Use if it is not one of the following:

1) Abattoir, Slaughterhouse or Rendering of Animals Factory;
2) Ammunition, Firearms or Fireworks Factory;
3) Asphalt Plant;
4) Cement Plant, or Concrete Batching Plant;
5) Crude Petroleum Oil or Coal Refinery;
6) Explosives Factory;
7) Industrial Gas Manufacturing;
8) Large Scale Smelting or Foundry Operations for the Primary Processing of Metals;
9) Pesticide or Fertilizer Manufacturing;
10) Petrochemical Manufacturing;
11) Primary Processing of Gypsum;
12) Primary Processing of Limestone;
13) Primary Processing of Oil-based Paints, Oil-based Coatings or Adhesives;
14) Pulp Mill, using pulpwood or other vegetable fibres;
15) Resin, Natural or Synthetic Rubber Manufacturing;
16) Tannery

Office
Park
Performing Arts Studio
Pet Services
Police Station
Printing Establishment
Production Studio
Public Works Yard
Recreation Use
Service Shop
Software Development and Processing
Warehouse
Wholesaling Use

60.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions – E Zone
In an E zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.20.20.100:

- Cogeneration Energy Production (26)
- Drive Through Facility (5,21)
- Eating Establishment (3,19,30)
- Metal Factory involving Forging and Stamping (25)
- Open Storage (10)
- Public Utility (27,29)
- Recovery Facility (8)
- Renewable Energy Production (26)
- Retail Service (3)
- Retail Store (4,30)
- Shipping Terminal (11)
- Take-out Eating Establishment (3,30)
- Transportation Use (28)
- Vehicle Depot (6)
- Vehicle Fuel Station (16,30)
- Vehicle Repair Shop (23)
- Vehicle Service Shop (17)
- Vehicle Washing Establishment (18)

60.20.20.100 Conditions

(3) Eating Establishment, or Take-out Eating Establishment and Retail Service
In an E zone, the total interior floor area of eating establishments, take-out eating establishments and retail services may not exceed the greater of:

(A) 300 square metres; or
(B) 10% of the gross floor area of the buildings on the lot to a maximum of 500 square metres.

(4) Retail Store- in combination with Manufacturing Use
In an E zone, a retail store is subject to the following:

(A) it must be in combination with a permitted manufacturing use;
(B) the interior floor area may not exceed 20% of the interior floor area of the manufacturing use on the lot; and
(C) must be separated from the permitted manufacturing use by a floor to ceiling wall that prevents
public access.

(5) Drive Through Facility
In an E zone, a drive through facility must be on a lot that has frontage on a major street as shown on the Policy Areas Overlay Map found in Section 995.15.

(6) Vehicle Depot
In an E zone, a vehicle depot must be on a lot that is at least 70 metres from a lot in a Residential Zone category or a Residential Apartment Zone category.

(8) Recovery Facility
In an E zone, a recovery facility:
(A) may not be:
   (i) an asphalt recovery facility;
   (ii) a concrete recovery facility;
   (iii) a heavy metal recovery facility (arsenic, lead, mercury and cadmium);
   (iv) a hazardous chemical recovery facility;
   (v) a petrochemical recovery facility;
   (vi) an industrial gas recovery facility;
   (vii) a rubber recovery facility; and
   (viii) an asbestos recovery facility;
(B) must be located at least 70 metres from a lot in the Residential Zone category or the Residential Apartment Zone category; and
(C) must have the separating or sorting of materials be within a wholly enclosed building.

(10) Open Storage
(A) In an E zone, open storage must:
   (i) be in combination with a permitted manufacturing use;
   (ii) not be located in a yard of a lot that abuts a lot in the Residential Zone category or the Residential Apartment Zone category;
   (iii) not be located in the front yard of the lot;
   (iv) be a minimum of 7.5 metres from any lot line;
   (v) be less than 30% of the lot area;
   (vi) be less than the permitted maximum height of a building on the lot; and
   (vii) be enclosed by a fence.
(B) In an E zone, open storage may contain recyclable material and waste.

(11) Shipping Terminal
In an E zone, a shipping terminal must be on a lot that is at least 70 metres from a lot in the Residential Zone category or Residential Apartment Zone category.

(16) Vehicle Fuel Station
In an E zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(17) Vehicle Service Shop
In an E zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(18) Vehicle Washing Establishment
In an E zone, a vehicle washing establishment must comply with the specific use regulations in Section 150.96.

(19) Eating Establishment
In an E zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(21) Drive Through Facility
In an E zone, a drive through facility must comply with the specific use regulations in Section 150.80.
(23) **Vehicle Repair Shop**
   In an E zone, a **vehicle repair shop** must be on a lot that is at least 100 metres from a lot in the Residential Zone category or Residential Apartment Zone category.

(25) **Metal Factory involving Forging and Stamping**
   In an E zone, a metal factory that involves forging or stamping of metal must be on a lot that is at least 70.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category.

(26) **Renewable Energy Production or Cogeneration Energy Production**
   In an E zone, **renewable energy** production or **cogeneration energy** production must be with a **lawfully permitted existing use** on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(27) **Public Utility**
   In an E zone, a **public utility** must not be a sewage treatment plant.

(28) **Transportation Use**
   A building or structure located on a lot in an E zone and used as a transportation use must comply with all regulations in this By-law for a building on that lot.

(29) **Public Utility**
   In an E zone, a **public utility**, must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the E zone if it is:
   
   (A) an electrical transformer station; or
   (B) a natural gas regulator station.

(30) **Vehicle Service Shop- Open Storage**
   In an E zone, a **vehicle service shop** may have open storage if it is:
   
   (A) not more than 20% of the area of the lot not covered by wholly enclosed buildings; and
   (B) enclosed by a fence.

(30) **Retail Store in combination with Vehicle Fuel Station**
   (A) In an E zone, a **retail store** in conjunction with a **vehicle fuel station** is subject to the following:
      
      (i) the **retail store** must be a convenience store;
      (ii) the **interior floor area** of the **vehicle fuel station**, **retail store**, **eating establishment** or **take-out eating establishment** may not exceed 300 square metres; and
      (iii) the convenience **retail store** may remain on the lot as long as the **vehicle fuel station** use exists.
   
   (B) For the purposes of regulation (A) above, a convenience store is **premises** where products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines are sold.

### 60.20.30 Lot Requirements

#### 60.20.30.20 Lot Frontage

(1) **Minimum Lot Frontage for Lots in an E zone**
   In an E zone, the minimum **lot frontage** is 20.0 metres.

#### 60.20.30.21 Lot Frontage Exemptions

(1) **Permitted Lot Frontage for Lawfully Existing Lots**
   In an E zone, if the lawful lot frontage of a lawfully existing lot is less than the minimum lot frontage required by this By-law, that lawful lot frontage is the permitted minimum lot frontage for that lot.

(2) **Additions to Lawfully Existing Buildings**
Any addition or extension to a **lawfully existing building** or **structure** on a **lot** referred to in 60.20.30.21 (1) must comply with all other requirements of this By-law or be authorized by a Section 45 Planning Act minor variance.

60.20.40 Principal Building Requirements

60.20.40.10 Height

(1) **Maximum Height - E Zone**

In an E zone, if a **lot** is in an area that:

(A) has a numerical value following the letters 'HT' on the Height Overlay Map, the maximum height of any **building** or **structure** on the **lot** is the numerical value following the letters 'HT', in metres; or

(B) has no numerical value following the letters 'HT' on the Height Overlay Map:

(i) the permitted maximum height of an office **building**, or portion of a **building** used as office is 20.0 metres; and

(ii) no maximum height requirement applies to other permitted uses.

(2) **Height of Buildings and Structures - Green Roof**

In an E zone a parapet wall used for a **green roof** may exceed that permitted maximum height of a **building** by 2.0 metres

60.20.40.11 Height Exemptions

(1) **Permitted Height for Lawfully Existing Buildings**

In an E zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height in this By-law, that **lawful** height is the permitted maximum height for that **lawfully existing building** or **structure**.

(2) **Additions to Lawfully Existing Buildings -- Height**

Any addition or extension to a **lawfully existing building** or **structure** referred to in 60.20.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

60.20.40.70 Setbacks

(1) **Minimum Front Yard Setback for Lots in an E Zone**

In an E zone, the minimum **front yard setback** is 3.0 metres.

(2) **Minimum Side Yard Setback for Lots in an E Zone**

In an E zone, the minimum **side yard setback** is 3.0 metres.

(4) **Minimum Rear Yard Setback for Lots in an E Zone**

In an E zone, the minimum **rear yard setback** is 7.5 metres.

(5) **Minimum Building Setback for Lots in an E Zone abutting a Residential Zone Category or Residential Apartment Zone Category**

In an E zone:

(A) the minimum **building setback** from a **lot line** that abuts a **lot** in a Residential Zone category or Residential Apartment Zone category is 15.0 metres; and

(B) a **structure** that is not a **building** may be no closer than 15.0 metres from a **lot line** that abuts a **lot** in a Residential Zone category or a Residential Apartment Zone category.

60.20.40.71 Setbacks Exemptions
(1) Permitted Setbacks for Lawfully Existing Buildings
In an E zone, if the lawful building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:

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

(2) Required Setbacks for Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 60.20.40.71 (1) may be set back from the front lot line, rear lot line or side lot lines to the same extent as the main walls of the lawfully existing building or as authorized by a Section 45 Planning Act minor variance.

(3) Building Setback Exemptions for Loading at Railway Tracks in an E zone
Despite regulations 60.20.40.70 (2) and (4), in an E zone, a building or structure used for loading or unloading of railway cars has no required building setback from a side lot line or rear lot line that abuts the railway right-of-way.

60.20.50 Yards

60.20.50.10 Landscaping

(2) Soft Landscaping - Street Lot Line Requirement
In an E zone, any lot line abutting a street must have a minimum 3.0 metre wide strip of soft landscaping along the entire length of the lot line, excluding land used for driveways and walkways.

60.20.60 Ancillary Buildings and Structures

60.20.60.1 General

(1) Ancillary Building and Structure - Compliance
In an E zone, ancillary buildings and structures must comply with the requirements for a building or structure.

60.20.60.10 Location

(1) Location of Buildings or Structures Used for the Purpose of a Gatehouse, Scale, Weigh-house, Fire Pump House or Other Security Purpose in an E Zone
In an E zone, a building or structure used as a gatehouse, scale, weigh-house, fire pump house or other security purpose is:

(A) permitted in the front yard; and
(B) not subject to the minimum front yard, side yard and rear yard building setback requirements.

60.20.80 Parking

60.20.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
A parking space not located in a building or structure must be at least 0.5 metres from a lot line.
60.20.90 Loading

60.20.90.10 Location

(1) Loading Space Location
A loading space may not be located in:
(A) a front yard;
(B) a side yard abutting a street; or
(C) any yard that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

60.20.90.11 Location Exemptions

(1) Loading Space Location Exemption
If a lawfully existing building does not comply with the loading space location requirements in regulation 60.20.90.10 (1), that lawful existing loading space is exempt from regulation 60.20.90.10 (1).

60.20.90.40 Access to Loading Space

(1) Access to Loading Space on a Lot in 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 major street identified on the Policy Areas 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.

(2) Access Through a Main Wall to a Loading Space
A loading space located in a building may not have its access through a main wall that faces a street.

60.20.90.41 Access to Loading Space Exemptions

(1) Existing Access to Loading Space Exemption for Buildings on Lots in an E Zone
In an E zone, if a lawfully existing building has a lawful access to a loading space that does not comply with regulation 60.20.90.40 (1) or article 220.5.20, that lawful access is permitted.

(2) Access Through a Main Wall to a Loading Space Exemption
If a lawfully existing building has a lawful access to a loading space in a main wall facing a street, that lawful loading space is exempt from regulation 60.20.90.40 (2).

60.30 Employment Heavy Industrial Zone (EH)

60.30.1 General

60.30.1.10 Interpretation

(1) Application of This Section
The regulations in Section 60.30 apply to all lands, uses, buildings and structures in an EH zone.

(2) Interpretation of the Employment Heavy Industrial Zone Symbol
The zone symbol on the Zoning By-law Map for the Employment Heavy Industrial Zones consists of the
letters EH, indicating the primary land use permitted in the respective zone.

(3) Interpretation of the EH Zone Label
In the EH zone, the numerical value following the zone symbol in the zone label represents the maximum permitted floor space index of all land uses on a lot.

60.30.20 Permitted Uses

60.30.20.10 Permitted Use

(1) Use – EH Zone
In the EH zone, the following uses are permitted:

Ambulance Depot
Animal Shelter
Bindery
Building Supply Yards
Carpenter’s Shop
Chemical Materials Storage
Cold Storage
Contractor’s Establishment
Custom Workshop
Dry Cleaning or Laundry Plant
Fire Hall
Fuel Storage
Industrial Sales and Service Use
Laboratory
Manufacturing Use, if it is not one of the following:
1) Ammunition, Firearms or Fireworks Factory;
2) Crude Petroleum Oil or Coal Refinery;
3) Explosives Factory;
4) Tannery
Police Station
Public Utility
Public Works Yard
Recovery Facility
Service Shop
Shipping Terminal
Vehicle Depot
Vehicle Repair Shop
Warehouse
Waste Transfer Station

60.30.20.20 Permitted Use - with Conditions

(1) Use with Conditions – EH Zone
In the EH zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.30.20.100:

Cogeneration Energy Production (10)
Open Storage (1)
Outside Operations (2)
Propane Transfer, Handling and Storage Facility (9)
Renewable Energy Production (10)
Transportation Use (12)
Vehicle Service Shop (5,13)

60.30.20.100 Conditions
(1) **Open Storage**
   
   (A) In an EH zone, open storage must:
   
   (i) not encroach into the required building setback; and
   
   (ii) be enclosed by a fence.
   
   (B) In the EH zone open storage may contain recyclable material or waste.

(2) **Outside Operations**

   In an EH zone, outside operations must:

   (A) be in combination with a permitted manufacturing use;
   
   (B) not encroach into the required building setback; and
   
   (C) be enclosed by a fence.

(5) **Vehicle Service Shop**

   In an EH zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(9) **Propane Transfer, Handling and Storage Facility**

   In an EH zone, a propane transfer, handling and storage facility pertains to facilities which transfer, handle, or store propane in quantities equal to or greater than 5,000 U.S. Water Gallons (USWG) on the lot, and:

   (A) may be on a lot located at least 500 metres from a lot that is in a Residential Zone category, Residential Apartment Zone category, Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone category, or Open Space Zone category; and
   
   (B) is not a permitted manufacturing use that involves propane in the manufacturing process, or in the operation of equipment or vehicles which is not subject to regulation (A) above.

(10) **Renewable Energy Production or Cogeneration Energy Production**

   In a EH zone, renewable energy production or cogeneration energy production must be in combination with a permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(12) **Transportation Use**

   A building or structure located on a lot in an EH zone and used as a transportation use must comply with all requirements in this By-law for a building on that lot.

(13) **Vehicle Service Shop- Open Storage**

   In an EH zone, a vehicle service shop may have open storage if it is:

   (A) not more than 20% of the area of the lot not covered by wholly enclosed buildings; and
   
   (B) enclosed by a fence.

**60.30.30 Lot Requirements**

**60.30.30.20 Lot Frontage**

(1) **Minimum Lot Frontage for Lots in an EH zone**

   In an EH zone, the minimum lot frontage is 30.0 metres.

**60.30.30.21 Lot Frontage Exemptions**

(1) **Permitted Lot Frontage for Lawfully Existing Lots**

   In an EH zone, if the lawful lot frontage of a lawfully existing lot is less than the minimum lot frontage required by this By-law, that lawful lot frontage is the permitted minimum lot frontage for that lot.

(2) **Additions to Lawfully Existing Buildings**

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

60.30.40 Principal Building Requirements

60.30.40.10 Height

(1) Maximum Height - EH Zone
In an EH zone, if a lot is in an area that:
   (A) has a numerical value following the letters 'HT' on the Height Overlay Map, the maximum height of any building or structure on the lot is the numerical value following the letters 'HT', in metres; or
   (B) has no numerical value following the letters 'HT' on the Height Overlay Map, no maximum height requirement applies.

(2) Height of Buildings and Structures - Green Roof
In an EH zone a parapet wall used for wind protection for a green roof may exceed the maximum permitted height for a building by 2.0 metres.

60.30.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings
In an EH zone, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height in this By-law, that lawful height is the permitted maximum height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings -- Height
Any addition or extension to a lawfully existing building or structure referred to in regulation 60.30.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

60.30.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in an EH Zone
In an EH zone, the minimum front yard setback is 3.0 metres.

(2) Minimum Side Yard Setback for Lots in an EH Zone
In an EH zone, the minimum side yard setback is 3.0 metres.

(4) Minimum Rear Yard Setback for Lots in an EH Zone
In an EH zone, the minimum rear yard setback is 7.5 metres.

(5) Minimum Building Setback for Lots in an EH Zone abutting the Residential Zone Category or the Residential Apartment Zone Category
In an EH zone:
   (A) the minimum building setback from a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category is 15.0 metres; and
   (B) a structure that is not a building may be no closer than 15.0 metres from a lot line that abuts a lot in a Residential Zone category or a Residential Apartment Zone category.

60.30.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings
In an EH zone, if the lawful building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:
(A) a front lot line, that lawful front yard setback is the minimum front yard setback permitted for that building or structure;
(B) a rear lot line, that lawful rear yard setback is the minimum rear yard setback permitted for that building or structure; or
(C) a side lot line, that lawful side yard setback is the minimum side yard setback permitted for that building or structure.

(2) Required Setbacks for Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 60.30.40.71 (1) may be set back from a front lot line, rear lot line or side lot lines to the same extent as the main walls of the lawfully existing building or as authorized by a Section 45 Planning Act minor variance.

(3) Building Setback Exemptions for Loading at Railway Tracks in an EH zone
Despite regulations 60.30.40.70 (2) and (4), in an EH zone, a building or structure used for loading or unloading of railway cars at railway tracks has no required building setback from a side lot line or rear lot line that abuts the railway right-of-way.

60.30.50 Yards

60.30.60 Ancillary Buildings and Structures

60.30.60.1 General

(1) Ancillary Building and Structure - Compliance
In an EH zone, ancillary buildings and structures must comply with the building and structure regulations of this zone.

60.30.90 Loading

60.30.90.10 Location

(1) Loading Space Location
A loading space may not be located in a yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category.

60.40 Employment Industrial Office Zone (EO)

60.40.1 General

60.40.1.10 Interpretation

(1) Application of This Section
The regulations in Section 60.40 apply to all lands, uses, buildings and structures in an EO zone.

(2) Interpretation of the Employment Industrial Office Zone Symbol
The zone symbol on the Zoning By-law Map for zones in the Employment Industrial Office Zones consists of the letters EO indicating the primary land use permitted in the respective zone.

(3) Interpretation of the EO Zone Label
In the EO zone, the letters following the zone symbol in the zone label have the following meaning:

(A) a numerical value representing the 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 ‘e’ followed by a numerical value indicating the maximum floor space index permitted for employment industrial uses on a lot; and

(ii) the letter ‘o’ followed by a numerical value indicating the maximum floor space index permitted for office and other non-employment industrial uses on a lot.

(4) Medical Office
For the purposes of the EO Zone, a medical office includes a medical clinic.

60.40.20 Permitted Uses

60.40.20.1 General

(1) Sorting Activities in an Enclosed Building
In an EO zone, the separating or sorting of recyclable materials must take place within a wholly enclosed building.

60.40.20.10 Permitted Use

(1) Use – EO Zone
In an EO zone:

(A) the following uses are permitted under the letter ‘e’ in the zone label referred to in regulation 60.40.1.10 (3)(A)(i):

- Animal Shelter
- Artist Studio
- Bindery
- Carpenter’s Shop
- Cold Storage
- Custom Workshop
- Dry Cleaning or Laundry Plant
- Industrial Sales and Service Use
- Laboratory
- Printing Establishment
- Production Studio
- Self-storage Warehouse
- Service Shop
- Veterinary Hospital
- Warehouse
- Wholesaling Use.

(B) the following uses are permitted under the letter ‘o’ in the zone label referred to in regulation 60.40.1.10 (3)(A)(ii):

- Art Gallery
- Automated Banking Machine
- Club
- Community Centre
- Financial Institution
- Library
- Medical Office
- Museum
- Office
- Park
- Passenger Terminal
- Performing Arts Studio
- Recreation Use
- Software Development and Processing.
60.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions – EO Zone

In an EO zone:

(A) the following uses are permitted under the letter 'e' in the zone label if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.40.20.100:

- Apparel and Textile Manufacturing (3)
- Beverage Manufacturing (3)
- Clay Product Manufacturing (3)
- **Cogeneration Energy** Production (24)
- Computer, Communications, Electronics, or Optical Media Manufacturing (3)
- **Contractor’s Establishment** (2)
- Food Manufacturing (3)
- Furniture Manufacturing (3)
- Medical Equipment and Supplies Manufacturing (3)
- Metal Products Manufacturing (3)
- **Open Storage** (13)
- Pharmaceutical and Medicine Manufacturing (3)
- Plastic Product Manufacturing (3)
- **Public Utility** (25,27)
- **Renewable Energy** Production (24)
- Transportation Product and **Vehicle** Manufacturing (3)
- **Transportation Use** (26)

(B) the following uses are permitted under the letter 'o' in the zone label if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.40.20.100:

- **Drive Through Facility** (10,18)
- **Eating Establishment** (6,16,20,28)
- **Education Use** (7)
- Hotel (5)
- Municipal Shelter (4)
- **Outdoor Patio** (14)
- **Personal Service Shop** (6)
- Place of Assembly (11,19)
- Public Parking (8,9)
- Retail Service (6)
- Retail Store (6, 23, 28)
- **Take-out Eating Establishment** (6,20,28)
- **Vehicle Fuel Station** (21,28)

60.40.20.100 Conditions

(2) **Contractor’s Establishment**

In an EO zone, a **contractor’s establishment** may not store heavy equipment, such as cranes, ploughs, tractors, pile drivers, road making, wrecker’s or steel erector’s equipment.

(3) **Manufacturing Use- Interior Floor Area**

In an EO zone, the **interior floor area of manufacturing uses** listed in Clause 60.40.20.20 on the **lot** must be the lesser of:

(A) 5,000 square metres; or

(B) the permitted maximum floor space index for the **lot** according to the numerical value after an 'e' in the zone label.

(4) **Municipal Shelter**

In an EO zone, a **Municipal Shelter** must comply with the specific use requirements of Section 150.22.

(5) **Hotel**
In an EO zone, a **hotel** must be on a **lot** that fronts a major **street** shown on the Policy Areas Overlay Map found in Section 995.15.

(6) **Retail Service, Retail Store, Personal Service Shop, Eating Establishment or Take-out Eating Establishment**

In an EO zone, the **interior floor area** of retail services, retail stores, personal service shops, eating establishments, or take-out eating establishments on a **lot** may not exceed the greater of:

(A) 300 square metres; or

(B) 10% of the **gross floor area** of the **buildings** on the **lot** to a maximum of 500 square metres.

(7) **Education Use**

In an EO zone, **education use** is a permitted use if:

(A) the use only involves technical and trade skills development for the use and operation of manufacturing equipment and machinery;

(B) the maximum floor space index cannot exceed the lesser of:

(i) 0.5; or

(ii) the maximum permitted floor space index shown on the Zoning Map.

(8) **Public Parking- Abutting a Lot in a Residential Zone Category or the Residential Apartment Zone Category**

In an EO zone, if a **lot** with **public parking** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category:

(A) access to the **public parking** must not be through any part of a **lot** in the Residential Zone category or Residential Apartment Zone category;

(B) any part of a **lot line** abutting a **lot** in the Residential Zone category or Residential Apartment Zone category must be fenced; and

(C) an area used for the parking or storage of a **vehicle** must be at least 3.0 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category.

(9) **Public Parking Attendant Shelter**

In an EO zone, one **building** for parking attendants is permitted on a **lot** with **public parking** if it:

(A) has a maximum height of 4.0 metres, including all mechanical equipment;

(B) has a maximum **interior floor area** of 5.0 square metres; and

(C) is at least 6.0 metres from a **lot line** abutting a **street**.

(10) **Drive Through Facility**

In an EO zone, a **drive through facility** must be on a **lot** that has frontage on a major **street** as shown on the Policy Areas Overlay Map found in Section 995.15.

(11) **Place of Assembly**

In an EO zone, a **place of assembly** must be on a **lot** that has a zone symbol with an ‘o’ value of 2.0 or greater.

(13) **Open Storage**

In an EO zone,

(A) **open storage** must:

(i) be in conjunction with a permitted use;

(ii) not be located in a yard of a **lot** that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category;

(iii) not be located in the **front yard** of the **lot**;

(iv) be located a minimum of 7.5 metres from any **lot line**;

(v) not be more than 10% of the **lot area**;

(vi) not be more than the permitted maximum height of a **building**; and

(vii) be enclosed by a fence.

(B) In an EO zone, **open storage** may contain **recyclable material** and waste.
(14) Outdoor Patio
In an EO zone, an outdoor patio must:

(A) be in combination with a permitted use;
(B) be no closer to a lot line than the minimum building setback required for the building;
(C) not occupy more than 20% of the front yard;
(D) not be located on land required for parking, loading, driveways or landscaping;
(E) 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;
(F) not be used to provide entertainment such as performances, music and dancing;
(G) set back at least 10.0 metres from a lot in the Residential Zone category or the Residential Apartment Zone category;
(H) despite regulation (G) above, if above the first storey of the building, must be located at least 40.0 metres, measured horizontally, from a lot in the Residential Zone category or Residential Apartment Zone category; and
(I) in the rear yard of a lot which abuts, or is within 30.0 metres of a lot in the Residential Zone category or the Residential Apartment Zone category be fenced along the portion of the outdoor patio parallel to the rear lot line.

(16) Eating Establishment
In an EO zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(18) Drive Through Facility
In an EO zone, a drive through facility must comply with the specific use regulations in Section 150.80.

(19) Place of Assembly- Banquet Hall
In an EO zone, a place of assembly that is a banquet hall with an interior floor area greater than 1,000 square metres must be at least 300 metres from a lot in a Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the banquet hall is in combination with a hotel.

(20) Eating Establishment and Take-out eating Establishment- Amusement Device
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
In an EO zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(23) Retail Store- in combination with Manufacturing Use
In an EO zone, a retail store is subject to the following:

(A) it must be in combination with a permitted manufacturing use;
(B) the interior floor area may not exceed 20% of the interior floor area of the manufacturing use on the lot; and
(C) must be separated from the permitted manufacturing use by a floor to ceiling wall that prevents public access.

(24) Renewable Energy Production or Cogeneration Energy Production
In an EO zone, renewable energy production or cogeneration energy production must be in combination with a permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(25) Public Utility
In an EO zone, a public utility must not be a sewage treatment plant.

(26) Transportation Use
A building or structure located on a lot in an EO zone and used as a transportation use must comply with all requirements in this By-law for a building on that lot.
(27) **Public Utility**

In an EO zone, a public utility, must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the EO zone if it is:

(A) an electrical transformer station; or
(B) a natural gas regulator station.

(28) **Retail Store in combination with Vehicle Fuel Station**

(A) In an EO zone, a retail store in conjunction with a vehicle fuel station is subject to the following:

(i) the retail store must be a convenience store;
(ii) the interior floor area of the vehicle fuel station, retail store, eating establishment or take-out eating establishment may not exceed 300 square metres; and
(iii) the convenience retail store may remain on the lot as long as the vehicle fuel station use exists.

(B) For the purposes of regulation (A) above, a convenience store is a premises where products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines are sold.

60.40.30 **Lot Requirements**

60.40.30.20 **Lot Frontage**

(1) Minimum Lot Frontage for Lots in a EO zone

In an EO zone, the minimum lot frontage is 30.0 metres.

60.40.30.21 **Lot Frontage Exemptions**

(1) Permitted Lot Frontage for Lawfully Existing Lots

In an EO zone, if the lawful lot frontage of a lawfully existing lot is less than the minimum lot frontage required by this By-law, that lawful lot frontage is the permitted minimum lot frontage for that lot.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 60.40.30.21 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

60.40.40 **Principal Building Requirements**

60.40.40.10 **Height**

(1) Maximum Height - EO Zone

If a lot in an EO zone is in an area that:

(A) has a numerical value following the letters "HT" on the Height Overlay Map, the maximum height of a building or structure on the lot is the numerical value following the letters "HT", in metres;

(B) has no numerical value on the Height Overlay Map, the maximum height of a building or structure on the lot is 30.0 metres.

(2) Height of Buildings and Structures - Green Roof

In an EO zone a parapet wall used for wind protection for a green roof may exceed the permitted maximum height for a building by 2.0 metres.

60.40.40.11 **Height Exemptions**
(1) Permitted Height for Lawfully Existing Buildings
In an EO zone, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height in this By-law, that lawful height is the permitted maximum height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings -- Height
Any addition or extension to a lawfully existing building or structure referred to in regulation 60.40.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.

60.40.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in an EO Zone
In an EO zone, the minimum front yard setback is 9.0 metres.

(2) Minimum Side Yard Setback for Lots in an 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 Yard Setback for Lots in an EO Zone
In an EO zone, the minimum rear yard setback is 7.5 metres.

(5) Minimum Building Setback for Lots in an EO Zone abutting the Residential Zone Category or the Residential Apartment Zone Category
In an EO zone:
   (A) the minimum building setback from a lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category is 15.0 metres; and
   (B) a structure that is not a building may be no closer than 15.0 metres from a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

60.40.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings
In an EO zone, if the building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:
   (A) a front lot line, that lawful front yard setback is the minimum front yard setback permitted for that building or structure;
   (B) a rear lot line, that lawful rear yard setback is the minimum rear yard setback permitted for that building or structure; or
   (C) a side lot line, that lawful side yard setback is the minimum side yard setback permitted for that building or structure.

(2) Required Setbacks for Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 60.40.40.71 (1) may be set back from the front lot line, rear lot line or side lot lines to the same extent as the main walls of the lawfully existing building or structure or as authorized by a Section 45 Planning Act minor variance.

(3) Building Setback Exemptions for Loading at Railway Tracks in an EO zone
Despite regulations 60.40.40.70 (2) and (4), in an EO zone a building or structure used for loading or unloading of railway cars has no building setback required from a side lot line or rear lot line that abuts the railway right-of-way.
60.40.50 Yards

60.40.50.10 Landscaping

(2) Soft Landscaping- Street Lot Line Requirement
In an EO zone, any lot line abutting a street must have a minimum 3.0 metre wide strip of soft landscaping along the entire length of the lot line, exclusive of driveways and walkways.

60.40.60 Ancillary Buildings and Structures

60.40.60.1 General

(1) Ancillary Buildings and Structures - Compliance
In an EO zone, ancillary buildings and structures must comply with the requirements for a building or structure.

60.40.60.10 Location

(1) Location of Buildings or Structures Used for the Purpose of a Gatehouse, Scale, Weigh-house, Fire Pump House or Other Security Purpose in an EO Zone
In an EO zone, a building or structure used as a gatehouse, scale, weigh-house, fire pump house or other security purpose is:
(A) permitted in the front yard; and
(B) not subject to minimum front yard, side yard and rear yard building setback requirements.

60.40.80 Parking

60.40.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
A parking space not located in a building or structure must be at least 0.5 metres from a lot line.

60.40.90 Loading

60.40.90.10 Location

(1) Loading Space Location
A loading space may not be located in:
(A) a front yard;
(B) a side yard abutting a street; or
(C) a yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category.

60.40.90.11 Location Exemptions

(1) Loading Space Location Exemption
If a lawfully existing building does not comply with the loading space location requirements in regulation 60.40.90.10 (1), a lawful loading space is exempt from regulation 60.40.90.10 (1).

60.40.90.40 Access to Loading Space
(1) **Access to Loading Space on a Lot in an EO Zone**

In 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 major street identified on the Policy Areas 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.

(2) **Access Through a Main Wall to a Loading Space**

A loading space may not have its access through a main wall that faces a street.

### 60.40.90.41 Access to Loading Space Exemptions

(1) **Existing Access to Loading Space Exemption for Buildings on Lots in an EO Zone**

In an EO zone, if a lawfully existing building has a lawful access to a loading space that does not comply with regulation 60.40.90.40 (1), or article 220.5.20, that lawful access is permitted.

(2) **Access Through a Main Wall to a Loading Space Exemption**

If a lawfully existing building has a lawful loading space access in a main wall that faces a street, that lawful loading space access is exempt from regulation 60.20.90.40 (2).

### Chapter 80 Institutional

#### 80.5 Regulations applying to the Institutional Zone Category

#### 80.5.1 General

#### 80.5.1.10 Interpretation

(1) **Application of General Regulations Section**

The regulations 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 on the Zoning By-law Map for zones in the Institutional Zone category consists of the letters I, IE, IH, IS, or IPW, indicating the primary land use permitted in the respective zone.

(3) **Interpretation of the Zone Label**

In the Institutional Zone category, the number following the zone symbol in the zone label indicates the maximum floor space index permitted on a lot.

#### 80.5.20 Permitted Uses

#### 80.5.20.1 General

(1) **Existing School**

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

(A) any expansion or addition to the lawfully existing public school or private school building must comply with the requirements of Section 150.48 and the requirements for the zone in which the lot is located; and

(B) the lawfully existing public school or private school may be replaced with a new school
(2) Existing Place of Worship

A lawfully existing place of worship on a lot in the Institutional Zone category is permitted on that lot, and:

(A) any expansion or addition to the lawfully existing place of worship building must comply with the requirements of Section 150.50 and the requirements for the zone in which the lot is located; and

(B) the lawfully existing place of worship may be replaced with a new place of worship building that complies with the requirements of Section 150.50 and the requirements for the zone in which the lot is located.

80.5.30 Lot Requirements

80.5.30.1 General

(1) Lot Requirements

Specific lot requirements are stated in each zone in the Institutional Zone category.

80.5.30.11 Lot Area Exemptions

(1) Permitted Lot Area for Lawfully Existing Lots

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

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 80.5.30.11 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

80.5.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots

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

(2) Additions to Lawfully Existing Buildings

Any addition or extension to a lawfully existing building or structure on a lot referred to in regulation 80.5.30.21 (1) must comply with all other requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

80.5.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings

In the Institutional Zone category, if the area of a lot lawfully covered by lawfully existing buildings or structures is greater than the maximum lot coverage permitted by this By-law, the lawful percentage of the lot covered by those lawfully existing buildings or structures is the maximum permitted lot coverage for those lawfully existing buildings or structures.

(2) Additions to Lawfully Existing Buildings

Any addition or extension to lawfully existing buildings or structures referred to in regulation 80.5.30.41 (1) must comply with all other requirements in this By-law or be authorized by a Section 45
Planning Act minor variance.

80.5.40 Principal Building Requirements

80.5.40.1 General

(1) Building Requirements
Specific building and structure requirements are stated in each zone in the Institutional Zone category.

80.5.40.10 Height

(1) Determining the Height of a Building
In the Institutional Zone category, the height of a building or structure is the distance between the average elevation of the grade along the front lot line and the elevation of the highest point of the building or structure.

(2) Height for Structures on a Building
In the Institutional Zone category, the following structures on the roof of a building, may exceed the permitted maximum height for that building by 5.0 metres:

(A) antennae;
(B) flagpoles; and
(C) satellite dishes.

(3) Height for Functional Operation of a Building
In the Institutional Zone category, the following structures on the roof of a building, may exceed the permitted maximum height for that building by 5.0 metres, subject to regulation 80.5.40.10 (4):

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

(4) Height Limits on Elements for Functional Operation of a Building
In the Institutional Zone category, equipment, structures or parts of a building that exceed the maximum building height, as permitted by regulation 80.5.40.10 (3), must comply with the following:

(A) the total area of all equipment, structures or parts of a building that exceed the maximum building height must not cover more than 30% of the area of the roof, measured horizontally; and
(B) if any equipment, structures or parts of a building that exceed the maximum building height are located within 6.0 metres of a lot line abutting a street, their total horizontal dimension, measured parallel to that street, must not exceed 20% of the width of the building's main walls facing that street.

(5) Height for Rooftop Outdoor Recreation, Safety and Wind Protection
In the Institutional Zone category, unenclosed structures providing safety or wind protection to rooftop recreational uses on the roof of a building with a building height greater than 15.0 metres, may exceed the building height by a maximum of 3.0 metres, if the structures are located no closer than 2.0 metres from the interior face of all main walls.

80.5.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings
In the Institutional Zone category, if the lawful height of a lawfully existing building or structure is greater than the maximum permitted height in this By-law, that lawful height is the permitted maximum
height for that lawfully existing building or structure.

(2) Additions to Lawfully Existing Buildings -- Height

In the Institutional Zone category, an addition or extension to a lawfully existing building or structure referred to in regulation 80.5.40.11 (1) must comply with the maximum permitted height by this By-law or be authorized by a Section 45 Planning Act minor variance.

80.5.40.40 Floor Area

(1) Gross Floor Area Calculations

In the Institutional Zone category the gross floor area of a building may be reduced by the area used for:

(A) the purposes of parking, loading, and bicycle parking that are below grade;
(B) loading and bicycle parking at grade;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower facilities that are required by this By-law for required bicycle parking spaces;
(E) elevator shafts;
(F) mechanical penthouse; and
(G) exit stairwells in the building.

(2) Floor Space Index Calculation for a Building

In the Institutional Zone category the floor space index is the result of the gross floor area minus the areas of a building listed in regulation 80.5.40.40 (1) divided by the area of the lot.

80.5.40.41 Floor Area Exemptions

(1) Permitted Floor Space Index for Lawfully Existing Buildings

In the Institutional Zone category, if the lawful gross floor area of lawfully existing buildings or structures on a lot results in a floor space index greater than the maximum floor space index permitted by this By-law, the lawful floor space index resulting from those lawfully existing buildings or structures is the maximum permitted floor space index for those lawfully existing buildings or structures.

80.5.40.60 Permitted Encroachments

(1) Canopies and Awnings

In the Institutional Zone category, despite regulations 5.10.40.70 (1) and (2), a canopy, awning or similar structure, with or without structural support, may encroach into a required building setback that abuts a street, if no part of the canopy, awning or similar structure is more than 5.0 metres above the elevation of the grade directly below it.

80.5.40.70 Setbacks

(1) Building Setback from a Lane

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

80.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the Institutional Zone category, if the lawful building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:
(A) a front lot line, the existing lawful building setback is the minimum front yard setback permitted for that existing building or structure;

(B) a rear lot line, the existing lawful building setback is the minimum rear yard setback permitted for that existing building or structure; or

(C) a side lot line, the existing lawful building setback is the minimum side yard setback permitted for that existing building or structure.

(2) Additions to Lawfully Existing Buildings

In the Institutional Zone category, an addition or extension to a lawfully existing building or structure referred to in regulation 80.5.40.71 (1) must comply with the minimum building setbacks required by this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Additions Above Lawfully Existing Buildings

In the Institutional Zone category, despite 80.5.40.71 (2), the minimum setback from the original centreline of a lane for any addition or extension above a lawfully existing building or structure referred to in regulation 80.5.40.71 (1) is the minimum setback from the original centreline of the lane permitted by regulation 80.5.40.71 (1).

80.5.50 Yards

80.5.50.10 Landscaping

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

If a lot in an Institutional Zone category abuts a lot 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.

80.5.60 Ancillary Buildings and Structures

80.5.60.10 Location

(1) Ancillary Building Location Restriction

In the Institutional Zone category, an ancillary building or structure may not be located in a front yard.

80.5.60.20 Setbacks

(1) Setback of Ancillary Building or Structure

In the Institutional Zone category, an ancillary building or structure with a height greater than 4.0 metres, must be set back from a side lot line and rear lot line the greater of:

(A) one-half the height of the ancillary building or structure; or

(B) 3.0 metres, if the lot line that abuts a lot in a Residential Zone category, Residential Apartment Zone category or Residential Commercial Apartment Zone category.

80.5.60.40 Height

(1) Height of Ancillary Buildings and Structures

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

80.5.75 Energy Regulations

80.5.75.1 General
(1) **Renewable Energy or Cogeneration Energy Device - Location Restriction**
In the Institutional Zone category, a device producing renewable energy or cogeneration energy on a lot may not be in a front yard or side yard that abuts a street.

(2) **Renewable Energy Device - Height Requirements**
In the Institutional Zone category, a photovoltaic solar energy device or a thermal solar energy device:
(A) located on a building,
   (i) must comply with the minimum building setback requirements, and
   (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and
(B) if ground mounted, the device must comply with the requirements in this By-law for a building or structure on the lot.

(3) **Wind Energy Device - Setbacks**
In the Institutional Zone category, a wind energy device must comply with the building setback requirements for a building on the lot.

(4) **Wind Energy Device - Height**
In the Institutional Zone category, no part of the wind energy device may exceed the permitted maximum height for a building by more than:
(A) 3.0 metres if:
   (i) the wind energy device is on a lot that abuts a lot in a Residential Zone category; or
   (ii) the building is less than 25 metres in height; and
(B) 5.0 metres in all other cases.

(5) **Geo-energy Requirements**
In the Institutional Zone category, any above-ground part of a geo-energy device must comply with the requirements in this By-law for a building or structure on the lot.

(6) **Cogeneration Device**
In the Institutional Zone category, a cogeneration energy device must be located inside a permitted building.

80.5.80 Parking

80.5.80.1 General

(1) **Required Parking Space**
In the Institutional Zone category, if one or more off-street parking spaces is 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.

80.5.80.10 Location

(1) **Location of Required Parking Spaces**
A parking space must be located on the lot containing the use for which the parking space is required.

(2) **Off-Site Parking**
Despite regulation 80.5.80.10 (1), in the Institutional Zone category a required parking space may be located on an abutting lot in the same zone.

80.5.80.30 Separation

(1) **Parking Separation from lot line**
In 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 yard or side yard if a fence is constructed along the part of the lot line that abuts the lot in the Residential Zone category.

80.5.100 Access to Lot

80.5.100.10 Location

(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 be used for parking for a use on an adjacent lot, 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.

(2) Driveway Access to a Lot - Crossing Landscaping Area

In an Institutional Zone category, a driveway providing direct access from a street or lane may cross a required landscaping area.

(3) Access to 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 access to a parking space may not be through any part of a lot in a Residential Zone category;

(4) Loading Restrictions Adjacent to a Lot in a Residential Zone Category

A 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.

80.5.150 Waste

80.10 Institutional General Zone (I)

80.10.1 General

80.10.1.10 Interpretation

(1) Application of This Section

The regulations in Section 80.10 apply to lands, uses, buildings and structures in an I zone.

(2) Medical Office

For the purposes of the I Zone, a medical office includes a medical clinic.

80.10.20 Permitted Uses

80.10.20.10 Permitted Use

(1) Use - I Zone

The following uses are permitted if they comply with all the regulations in an I zone:

Art Gallery
Club
Community Centre
Hospice Care Home
Library
Medical Office
Museum
Nursing Home
Park
Recreation Use
Religious Education Use
Religious Residence
Respite Care Facility
Retirement Home.

80.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions - I Zone
The following 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:
Ambulance Depot (16)
Automated Banking Machine (10)
Cogeneration Energy Production (22)
Crisis Care Shelter (12)
Day Nursery (6)
Drive Through Factory (23)
Eating Establishment (2)(7)
Financial Institution (3)
Fire Hall (17)
Group Home (13)
Municipal Shelter (14)
Personal Service Shop (4)
Place of Assembly (5)
Place of Worship (15)
Police Station (18)
Private School (9)
Public Parking (1)(8)
Public School (9)
Public Utility (19) (20)
Renewable Energy Production (22)
Residential Care Home (13)
Retail Store (2)
Secondary Suite (24)
Student Residence (11)
Take-out Eating Establishment (2)(7)
Transportation Use (21)

(#) 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 used for Public Parking 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) Retail Store, Eating Establishment and Take-out Eating Establishment
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 lot area.

(3) Financial Institution
In an I Zone, a financial institution use must not be more than 250 square metres in gross floor area.

(4) Personal Service Shop
A personal service shop use must not be more than 250 square metres in gross floor area.

(5) Place of Assembly
A place of assembly is must not have an Interior Floor Area that is greater than the lesser of:
(A) 4000 square metres; or
(B) 75% of the ground floor area of the building.

(6) Day Nursery
A day nursery use must be 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 must not exceed 400 square metres.

(8) Public Parking - Attendant Shelter
Public Parking in an I zone may have one ancillary building for parking 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 building 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.

(10) Automated Banking Machine
In an I zone, an automated banking machine must be located in a building

(11) Student Residence
A student residence must be operated by a Public School or Private School on the same lot.

(12) Crisis Care Shelter
In an I zone, a Crisis Care Shelter must comply with the applicable requirements of Section 150.20.

(13) Group Home
In an I zone, a Group Home and Residential Care Home must comply with the applicable requirements of Section 150.15.

(14) Municipal Shelter
In an I zone, a Municipal Shelter must comply with the applicable requirements of Section 150.22.

(15) Place of Worship
In an I Zone, a Place of Worship must comply with the applicable requirements of the zone and with the applicable requirements of Section 150.50.

(16) Ambulance Depot
If an ambulance depot is located on a lot in the I Zone, the lot must:
(A) front on a major street shown on the Policy Areas Overlay Map; or
(B) front on a street that intersects with a major street shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(17) Fire Hall
If a fire hall is located on a lot in the I Zone, the lot must:
(A) front on a major street shown on the Policy Areas Overlay Map; or
(B) front on a street that intersects with a major street shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(18) Police Station
If a police station is located on a lot in the I Zone, the lot must:
(A) front on a major street shown on the Policy Areas Overlay Map; or
(B) front on a major street that intersects with a street shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(19) Public Utility
In the I Zone, a public utility must not be:
(A) a sewage treatment plant;
(B) a water filtration plant; or
(C) a water reservoir.

(20) Public Utility
In the I Zone, a public utility, must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the Institutional zone if it is:
(A) an electrical transformer station; or
(B) a natural gas regulator station.

(21) Transportation Use
In the I Zone, a building or structure used for a public transportation use must comply with all applicable regulations for a building on that lot for the zone in which the lot is located.

(22) Renewable Energy Production or Cogeneration Energy Production
In an I zone, renewable energy production or cogeneration energy production must in conjunction with a lawfully permitted existing use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(23) Drive Through Facility
In an I zone, a drive through facility must comply with the specific use regulations in Section 150.80.

(24) Secondary Suite
In the I zone, a secondary suite must comply with the specific use regulations in Section 150.10.

80.10.30 Lot Requirements

80.10.30.20 Lot Frontage

(1) Lot Frontage
In an I zone, the minimum lot frontage is 20.0 metres

80.10.30.40 Lot Coverage

(1) Lot Coverage
If an I zone the maximum permitted lot coverage is 35%.

80.10.40 Principal Building Requirements

80.10.40.10 Height

(1) Height of Building or Structure
If a lot in an I zone is in an area that has:

(A) no numerical value shown on the Height Overlay Map in chapter 990, 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 in chapter 990, the maximum height of a building or structure is the numerical value in metres shown on the Height Overlay Map.

(2) Height of Buildings and Structures - Height 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 permitted building height by 2.0 metres.

80.10.40.40 Floor Area

(1) Floor Space Index Limitation

In I Zone the permitted maximum floor space index is 1.0.

80.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space Requirement

In an I zone, a minimum of 0.9 square metres of amenity space must be provided for each dwelling unit and bed-sitting room in a building and a minimum of 75% of the amenity space must be located within a building.

80.10.40.60 Permitted Encroachments

(1) Canopy Encroachments

In the I Zone, a canopy, awning or similar structure, with or without structural support, may encroach into a required building setback a maximum of 4.0 metres, if no part of the canopy, awning or similar structure is more than 5.0 metres above the elevation of the grade directly below it.

(2) Permitted Encroachments- Exterior Stairs, Access Ramp and Elevating Device

In an I zone:

(A) exterior stairs providing access to a building or structure may encroach into a required building setback, if the stairs:
   (i) are no longer than 1.5 horizontal units for each 1.0 vertical unit above 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 a lot line than 0.3 metres.

(B) an uncovered ramp providing access to a building or structure may encroach into a required building setback, if the ramp:
   (i) is no longer than 12 horizontal units for each 1.0 vertical unit above 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 a lot line than 0.3 metres.

(C) an elevating device providing access to a building or structure may encroach into a required building setback, if that the elevating device:
   (i) elevates no higher than the first floor of the building;
   (ii) has a maximum area of 3.0 square metres; and
   (iii) is no closer to a lot line than 0.3 metres.

80.10.40.70 Setbacks
(1) **Building Setback Policy Areas 1 to 3**
   If a lot in an I Zone is also located in Policy Area 1 (PA-1), Policy Area 2 (PA-2) or Policy Area 3 (PA-3), a building or structure on that lot must be set back:
   (A) not more than 3.0 metres from a front lot line;
   (B) a minimum of 5.5 metres from a side lot line that does not abut a street or lane if the main wall of a building facing the side lot line contains windows;
   (C) 3.0 metres from a rear lot line or side lot line that abuts a lot in a Residential Zone category; and
   (D) in all other cases, no building setback is required.

(2) **Building Setback in other than Policy Areas 1 to 3**
   If a lot in an I Zone is not located in Policy Area 1 (PA-1), Policy Area 2 (PA-2) or Policy Area 3 (PA-3), a building or structure must be set back from a lot line a distance equal to one half the height of the 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 permitted driveway access to the lot must be used for landscaping and a minimum of 75 percent of the front yard landscaping area must be soft landscaping.

(2) **Soft Landscaping Requirement**
   In an I zone, a minimum of 50% of the area of the lot not covered by buildings must be used for soft landscaping.

**80.10.80 Parking**

**80.10.80.20 Setbacks**

(1) **Parking Space to be Set Back from a Lot Line**
   A parking space not located in a building or structure must be at least 0.5 metres from a lot line.

**80.10.90 Loading**

**80.10.90.10 Location**

(1) **Loading Space Location**
   A loading space may not be located in:
   (A) a front yard;
   (B) a side yard abutting a street; or
   (C) any yard that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

**80.10.90.11 Location Exemptions**

(1) **Loading Space Location Exemption**
   If a lawful loading space in a lawfully existing building does not comply with the loading space location requirements in regulation 80.10.90.10 (1), that lawful loading space is exempt from the requirements of regulation 80.10.90.10 (1).
80.10.150 Waste

80.10.150.1 General

(1) Waste Storage
In an I 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.

(2) Storage of Waste
In an I zone, all waste must be stored in a wholly enclosed building and must be located at least:
(A) 7.5 metres from a lot in a Residential Zone category, or Open Space Zone category; and
(B) 1.0 metres from all other side lot lines and rear lot lines.

80.20 Institutional Hospital Zone (IH)

80.20.1 General

80.20.1.10 Interpretation

(1) Application of This Section
The regulations in Section 80.20 apply to lands, uses, buildings and structures in an IH zone.

80.20.20 Permitted Uses

80.20.20.10 Permitted Use

(1) Use - IH Zone
The following uses are permitted if they comply with all the regulations in an IH zone:
Hospice Care Home
Hospital
Park.

80.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IH Zone
The following 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:
Ambulance Depot (12)
Automated Banking Machine (3)
Cogeneration Energy Production (18)
Crisis Care Shelter (8)
Day Nursery (7)
Eating Establishment (4,11)
Education Use (12)
Financial Institution (5)
Fire Hall (13)
Laboratory (9)
Municipal Shelter (19)
Nursing Home (1)
Office (2)
Personal Service Shop (4,11)
Police Station (14)
Post-Secondary School (20)
80.20.20.100 Conditions

(1) **Nursing Home, Retirement Home, Student Residence, Respite Care Facility**
In the IH zone, a nursing home, retirement home, student residence, or respite care facility is permitted if the building is operated by or on behalf of a Hospital.

(2) **Office**
In the IH zone, an office is permitted if the building in which it is located is operated by or on behalf of a Hospital.

(3) **Automated Banking Machine**
In the IH zone, an automated banking machine must be located within the principal building.

(4) **Retail Store, Personal Service Shop and Eating Establishment**
In the IH zone, a retail store, personal service shop or eating establishment must:
   (A) be located in the same building as the hospital;
   (B) not have an interior floor area for each retail store, personal service shop or eating establishment greater than 150 square metres;
   (C) have a total cumulative interior floor area for all retail stores, personal service shops and eating establishments, that is no more than 30% of the ground floor area of the building; and
   (D) subsections (B) and (C) above do not apply to an ancillary cafeteria.

(5) **Financial Institution**
In the IH zone, a financial institution must:
   (A) be located in a building containing a Hospital; and
   (B) have an interior floor area no greater than 150 square metres.

(6) **Public Parking - Attendant Shelter**
A lot used for public parking in an IH zone may have one ancillary building for parking 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 building setback of 6.0 metres from any lot line abutting a street.

(7) **Day Nursery**
An day nursery on a lot in an IH zone, must be located in a building that also contains a hospital.

(8) **Crisis Care Shelter**
A crisis care shelter on a lot in an IH zone, must be on a lot that has a minimum permitted floor space index of 7.0 or larger.

(9) **Laboratory**
In the IH zone, a laboratory must:
   (A) be operated by, or is in association with, a Hospital; or
   (B) be used for 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 or Apartment Zone category:

(A) access to the public parking use may not be through any part of a lot in a Residential Zone category or Apartment 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.

(12) **Ambulance Depot**

In the IH Zone, a lot used for an ambulance depot must:

(A) front on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; or

(B) front on a **street** that intersects with a major **street** shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(13) **Fire Hall**

In the IH Zone, a lot used for a fire hall must:

(A) front on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; or

(B) front on a **street** that intersects with a major **street** shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(14) **Police Station**

In the IH Zone, a lot used for a police station must:

(A) front on a major **street** shown on the Policy Areas Overlay Map in Section 995.10 or

(B) front on a **street** that intersects with a **street** shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(15) **Public Utility**

In the IH Zone, a public utility must not be a:

(A) a sewage treatment plant;

(B) a water filtration plant;

(C) a water reservoir;

(16) **Public Utility**

In the IH Zone, a public utility, must be enclosed by walls and comply with the **lot coverage**, minimum **building setback**, and maximum **building height** for the Institutional zone if it is:

(A) an electrical transformer station; or

(B) a natural gas regulator station.

(17) **Transportation Use**

In the IH Zone, a **building** or **structure** used for a public **transportation use** must comply with all applicable regulations for a **building**.

(18) **Renewable Energy Production or Cogeneration Energy Production**

In an IH zone, **renewable energy** production or ** cogeneration energy** production must in conjunction with a permitted use existing on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(19) **Municipal Shelter**

In an IH zone, a **Municipal Shelter** must comply with the applicable requirements of Section 150.22.

(20) **Post-Secondary School**

In the IH Zone, a **post-secondary school** for education in medicine dentistry and other health sciences is must be in association with a **hospital**.
(21) **Secondary Suite**
   In the IH zone, a secondary suite must comply with the specific use regulations in Section 150.10.

**80.20.30 Lot Requirements**

**80.20.30.20 Lot 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 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 Gross Floor Area**
   If the IH Zone label applying to a lot is not followed by a numerical value indicating the maximum floor space index on the lot, then the maximum gross floor area permitted on that lot is equal to a floor space index value of 1.0.

**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 building height if, the highest element of the landing pad is also no more than 3.0 metres above the 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 building or structure may encroach into a required building setback if it:
   
   (i) has a length no more than 12 horizontal units for each 1.0 vertical unit above grade at the point where the ramp meets the building or structure;
   
   (ii) has a maximum width of 1.5 metres for each sloped segment of the ramp; and
   
   (iii) is at least 0.6 metres to a lot line.

   (B) An elevating device providing barrier-free access to a building or structure may be located in a required building setback, if it:
   
   (i) elevates no higher than the first floor of the building;
   
   (ii) has a maximum area of 6.0 square metres; and
   
   (iii) is at least 0.6 metres from a lot line.

(3) **Canopy Encroachments**
   In the IH zone, a canopy, awning or similar structure, with or without structural support, may encroach into a required building setback a maximum of 4.0 metres, if no part of the canopy, awning or similar structure is more than 5.0 metres above the elevation of the grade directly below it.
(4) Permitted Encroachments into Required Yards - Canopies and Awnings
In an IH zone, a canopy, awning or similar structure, with or without structural support, may encroach into a required building setback for a building a maximum of 2.5 metres if:
(A) it is more than 5.0 metres above the level of the ground directly below it; and
(B) it is at least 0.6 metres from a lot line.

80.20.40.70 Setbacks

(1) Minimum Front Yard Setback 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) Ancillary Building or Structure to be Set Back
In an IH zone an ancillary building or structure may be no closer to a side lot line or rear lot line, that does not abut a street, than the greater of 1.5 metres or one-half the height of the ancillary building or structure.

(2) Building 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) Parking Space to be Set Back from a Lot Line
In an IH Zone, a parking space not located in a building or structure must be at least 0.5 metres from a lot line.

(2) Parking Spaces to be Set Back from Residential
In the IH zone, an area used for the parking or storage of vehicles of more than 3 vehicles must be set back a minimum of 7.5 metres from a lot line that abuts a lot in a Residential Zone category.

80.20.90 Loading

80.20.90.10 Location

(1) Loading Space Location
A loading space may not be located in:
(A) a front yard;
(B) a side yard abutting a street; or
(C) any yard that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

80.20.90.11 Location Exemptions

(1) Loading Space Location Exemption
If a lawfully existing loading space in a lawfully existing building does not comply with the loading space location requirements of regulation 80.20.90.10 (1), that lawfully existing loading space is exempt from the requirements of regulation 80.20.90.10 (1).

80.20.100 Access to Lot

80.20.150 Waste

80.20.150.1 General

(1) Storage of Waste
In an IH zone, all waste must be stored in a wholly enclosed building and must be at least 7.5 metres from a lot in a Residential Zone category, or Open Space Zone category.

(2) Waste Storage
An ancillary 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

80.30.1.10 Interpretation

(1) Application of This Section
The regulations in Section 80.30 apply to lands, uses, buildings and structures in an IE zone.

80.30.20 Permitted Uses

80.30.20.10 Permitted Use
(1) Use - IE Zone

The following uses are permitted if they comply with all the regulations in an IE zone:

Art Gallery
Automated Banking Machine
Club
Library
Museum
Outdoor Post-Secondary Education uses
Park
Performing Arts Studio
Place of Assembly
Place of Worship
Post-Secondary School
Production Studio
Recreation Use
Religious Education Use
Student Residence.

80.30.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IE Zone

The following 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:

Ambulance Depot (14)
Cogeneration Energy Production (20)
Community Centre (10)
Day Nursery (9)
Eating Establishment (4)(13)
Entertainment Place of Assembly (7)
Financial Institution (5)
Fire Hall (15)
Laboratory (11)
Municipal Shelter (21)
Office (3)
Personal Service Shop (6)
Police Station (16)
Public Parking (1)(12)
Public Utility (17)(18)
Renewable Energy Production (20)
Retail Store (8)
Secondary Suite (22)
Software Development and Processing (2)
Sports Place of Assembly (7)
Take-out Eating Establishment (4)(13)
Transportation Use (19)

(#) The number after the listed use is the condition number reference in Clause 80.30.20.100

80.30.20.100 Conditions

(1) Public Parking - Attendant Shelter

A lot used for Public Parking in an IE Zone may have one ancillary building for parking 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 building setback of 6.0 metres from any lot line abutting a street.

(2) Software Development and Processing
In an IE zone, a software development and processing use must operated by or is in association with an educational institution.

(3) Office
In an IE zone, an office must be used in association with an educational institution on the lot.

(4) Eating Establishment and Take-out Eating Establishment
In an IE zone, an eating establishment or take-out eating establishment must not be more than 1,000 square metres in interior floor area.

(5) Financial Institution
In an IE zone, a financial institution must not be more than 500 square metres in interior floor area.

(6) Personal Service Shop
In an IE zone, a personal service shop must not be more than 500 square metres in interior floor area.

(7) Entertainment Place of Assembly and Sports Place of Assembly
In an IE zone, a place of assembly, entertainment or place of assembly, sports must be operated by, or is in association with, an educational institution on the lot.

(8) Retail Store
In an IE zone, a retail store must not be more than 500 square metres in interior floor area.

(9) Day Nursery
In an IE zone, a day nursery must be no more than 500 square metres in interior floor area.

(10) Community Centre
In an IE zone, a community centre must be operated by an educational institution or for an educational institution and must be no more than 5000 square metres in gross floor area.

(11) Laboratory
In an IE zone, a laboratory must be 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
In an IE zone, 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 the lot in the IE Zone, must not exceed 400 square metres.

(14) Ambulance Depot
In the IE Zone, a lot used for an ambulance depot must:

(A) front on a major street shown on the Policy Areas Overlay Map in Section 995.10; or

(B) front on a street that intersects with a major street shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(15) Fire Hall
In the IE Zone, a lot used for a fire hall must:

(A) front on a major street shown on the Policy Areas Overlay Map in Section 995.10; or

(B) front on a street that intersects with a major street shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(16) Police Station
In the IE Zone, a lot used for a police station must:

(A) front on a major street shown on the Policy Areas Overlay Map in Section 995.10; or

(B) front on a street that intersects with a major street shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.
(17) **Public Utility**
  In the IE Zone, a **public utility** must not be:
  
  (A) a sewage treatment plant;
  (B) a water filtration plant; or
  (C) a water reservoir.

(18) **Public Utility**
  In the IE Zone, a **public utility**, must be enclosed by walls and comply with the **lot coverage**, **minimum building setback** and maximum **building height** for the Institutional zone if it is:
  
  (A) an electrical transformer station; or
  (B) a natural gas regulator station.

(19) **Transportation Use**
  In the IE Zone, a **building or structure** used for a public **transportation use** must comply with all applicable regulations for a **building** on that **lot** for the zone in which the **lot** is located.

(20) **Renewable Energy Production or Cogeneration Energy Production**
  In an IE zone, **renewable energy** production or **cogeneration energy** production must in conjunction with a permitted use, existing on the **lot**, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(21) **Municipal Shelter**
  In an IE zone, a **Municipal Shelter** must comply with the applicable requirements of Section 150.22.

(22) **Secondary Suite**
  In the IE zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

**80.30.30 Lot Requirements**

**80.30.30.20 Lot Frontage**

(1) **Lot Frontage Requirement**
  The minimum **lot frontage** in an IE zone is 20.0 metres.

**80.30.40 Lot 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 in Section 995.20, the maximum height of a **building** or **structure** on the **lot** is 13.0 metres; or
  
  (B) a numerical value shown on the Height Overlay Map in Section 995.20, 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 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) Building Setback requirements
In an IE zone the minimum building setback from a lot line is a distance equal to one half the height of the building.

80.30.40.80 Separation

(1) Separation Between Buildings
If two or more buildings are on a lot in an IE zone, the minimum separation between all main walls of any two buildings is a distance that is the greater of:
(A) 20 metres; or
(B) one half the total height of the two buildings.

80.30.60 Ancillary Buildings and Structures

80.30.60.20 Setbacks

(1) Ancillary Building or Structure to be Set Back from a 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 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.

80.30.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
A parking space not located in a building or structure must be at least 0.5 metres from a lot line.

80.30.90 Loading

80.30.90.10 Location

(1) Loading Space Location Exemption
A loading space may not be located in:
(A) a front yard;
(B) a side yard abutting a street; or
(C) any yard that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

80.30.90.11 Location Exemptions

(1) Loading Space Location Exemption
In the IE Zone, if a lawfully existing loading space does not comply with the loading space location requirements of regulation 80.30.90.10 (1), that lawfully existing loading space is exempt from the requirements of regulation 80.30.90.10 (1).

80.30.150 Waste

80.30.150.1 General

(1) Storage of Waste
In 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

80.40.1.10 Interpretation

(1) Application of This Section
The regulations in Section 80.40 apply to lands, uses, buildings and structures in an IS zone.

80.40.20 Permitted Uses

80.40.20.10 Permitted Use

(1) Use - IS Zone
The following uses are permitted if they comply with all the regulations in an IS zone:
Park
Private School
Public School
Recreation Use.

80.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IS Zone
The following 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:
Adult Education School (5)
Ambulance Depot (6)
Cogeneration Energy Production (11)
Community Centre (2)
Day Nursery (1)
Fire Hall (7)
Library (3)
Municipal Shelter (12)
Police Station (8)
Public Utility (9) (10)
Renewable Energy Production (11)
Secondary Suite (13)
Student Residence (4)
80.40.20.100 Conditions

(1) **Day Nursery**
   In an IS Zone, a **day nursery** must:
   (A) be located in a **building** that also contains a **private school** or, a **public school**;
   (B) a **building** originally constructed as a **public school**; and
   (C) have an **interior floor area** no greater than 40% of the area of the **first floor** of the **building** on the **lot**.

(2) **Community Centre**
   In an IS Zone, a **Community Centre** must:
   (A) be located on a **lot** that fronts on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; and
   (B) have a **gross floor area** that is no greater than 2500 square metres.

(3) **Library**
   In an IS Zone, a **Library** must:
   (A) be operated by or on behalf of the City of Toronto; and
   (B) be on a **lot** that fronts on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; and
   (C) have a **gross floor area** no greater than 1500 square metres.

(4) **Student Residence**
   In an IS Zone, a **student residence** must be in a **building** operated for a **Public School** or **Private School** on the same **lot**.

(5) **Adult Education**
   In an IS Zone, an Adult Education School is permitted if it is located in a **building** used for a **private school** or **public school** or it is located in a **building** originally constructed as a **private school** or **public school** and the Adult Education School is funded by the provincial or federal government for the delivery of:
   (A) adult English or French as a second language (ESL or FSL) courses delivered by district school boards;
   (B) literacy and basic skills programming delivered by community agencies or district school boards;
   (C) credit courses for adults delivered by district school boards;
   (D) continuing education programs, including general interest courses, delivered by district school boards;
   (E) adult Aboriginal language programs delivered by district school boards; or
   (F) Canadian citizenship preparation programs delivered by district school boards.

(6) **Ambulance Depot**
   In the IS Zone, a **lot** used for an ambulance depot must:
   (A) front on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; or
   (B) front on a **street** that intersects with a major **street** shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(7) **Fire Hall**
   In the IS Zone, a **lot** used for a fire hall must:
   (A) front on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; or
   (B) front on a **street** that intersects with a major **street** shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.
(8) **Police Station**
In the IS Zone, a lot used for a police station must:

(A) front on a major street shown on the Policy Areas Overlay Map in Section 995.10; or
(B) front on a street that intersects with a major street shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(9) **Public Utility**
In an IS Zone, a public utility must not be:

(A) a sewage treatment plant;
(B) a water filtration plant; or
(C) a water reservoir.

(10) **Public Utility**
In the IS Zone, a public utility, must be enclosed by walls and comply with the lot coverage, minimum building setback and maximum building height for the Institutional zone if it is:

(A) an electrical transformer station; or
(B) a natural gas regulator station.

(11) **Renewable Energy Production or Cogeneration Energy Production**
In an IS zone, renewable energy production or cogeneration energy production must in conjunction with a lawfully permitted existing use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(12) **Municipal Shelter**
In an IS zone, a Municipal Shelter must comply with the applicable requirements of Section 150.22.

(13) **Secondary Suite**
In the IS zone, a secondary suite must comply with the specific use regulations in Section 150.10.

### 80.40.30 Lot Requirements

#### 80.40.30.10 Lot Area

(1) **Lot Area**
In an IS zone the minimum required lot area is 900 square metres.

#### 80.40.30.20 Lot Frontage

(1) **Minimum Lot Frontage**
In an IS zone the minimum required lot frontage is 30.0 metres.

#### 80.40.30.40 Lot 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 has:

(A) no numerical value shown on the Height Overlay Map in Section 995.20, the maximum height of a building or structure on that lot is 14.0 metres; and

(B) a numerical value shown on the Height Overlay Map in Section 995.20, the maximum height of a building or structure on that lot is the numerical value shown on the Height Overlay Map, in metres.

(2) **Height of Buildings and Structures - Height 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 1.5 metres.

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**80.40.40.40 Floor Area**

(1) **Floor Area**

In an IS zone the maximum gross floor area of all buildings on the lot must not be greater than 70% of the lot area.

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**80.40.40.70 Setbacks**

(1) **Schools - Minimum Building Setbacks**

In an IS zone, the following building setbacks apply:

(A) 7.5 metres from a lot line that abuts a street;

(B) 7.5 metres from a rear lot line; and

(C) 3.0 metres from a side lot line.

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**80.40.50 Yards**

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**80.40.50.10 Landscaping**

(1) **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 land used only for soft landscaping must be provided along all side lot lines and rear lot lines; and

(B) with the exception of areas used for play, driveways, parking, loading, student drop-off and pick-up, a minimum 3.0 metre wide strip of land must be provided along all lot lines abutting a street and used for only soft landscaping.

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**80.40.60 Ancillary Buildings and Structures**

**80.40.60.1 General**

(1) **Ancillary Portable Classroom Buildings - Coverage**

In an IS zone, in addition to the lot coverage permitted by regulation 80.40.30.40 (1), ancillary portable classroom buildings are permitted if the lot area covered by all ancillary portable classroom buildings is no more than 50 percent of the lot area covered by the building.

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**80.40.60.10 Location**

(1) **Ancillary Portable Classroom Buildings - Location**

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In an IS zone, an ancillary portable classroom building may not be located in a front yard.

80.40.60.20 Setbacks

(1) Ancillary Building or Structure to be Set Back 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 to be Set Back
In an IS zone, an ancillary portable classroom building must be set back from a side lot line or rear lot line a distance equal to:
   (A) 7.5 metres if the lot line abuts a lot in 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 must be less than 4.0 metres in height.

(2) Height of Ancillary Buildings and Structure
In the Institutional School Zone (IS), the height of an ancillary building or structure is measured as the distance between the average grade and the highest point of the building or structure.

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 lot 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

(1) Parking Space Location
In an IS zone, 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 to be Set Back
In an IS zone, an area used for the parking or storage of vehicles must be set back a minimum of 1.5 metres from a lot line that abuts a lot in a Residential Zone category.

(2) Parking Space to be Set Back from a Lot Line
In an IS zone, a parking space not located in a building or structure must be at least 0.5 metres from a lot line.
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

80.40.90.1 General

(1) School - Pick-Up / Drop-Off Areas
In an IS zone, if a public school or private school is erected on a lot pursuant to a building permit issued three years after the date of passage of this by-law, a vehicular student pick-up and drop-off area must be provided on the same lot.

80.40.90.10 Location

(1) Loading Space
In an IS zone, 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.

80.40.150 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

80.50.1.10 Interpretation

(1) Application of This Section
The regulations in Section 80.50 apply to lands, uses, buildings and structures in an IPW zone.

80.50.20 Permitted Uses

80.50.20.10 Permitted Use
(1) Use - IPW Zone

The following uses are permitted if they comply with all the regulations in the IPW zone:
- Park
- Place of Worship
- Religious Education Use
- Religious Residence.

80.50.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IPW Zone

The following uses are permitted in the IPW zone, if they comply with the specific conditions set out for each use in Clause 80.50.20.100:
- Ambulance Depot (8)
- Cogeneration Energy Production (13)
- Community Centre (3)
- Day Nursery (1)
- Dwelling Unit (7)
- Fire Hall (9)
- Library (4)
- Municipal Shelter (5)
- Place of Assembly (2)
- Police Station (10)
- Public Utility (11) (12)
- Renewable Energy Production (13)
- Retail Store (6)
- Secondary Suite (14)

(#) The number after the listed use is the condition number reference in Clause 80.50.20.100

80.50.20.100 Conditions

(1) Day Nursery

In an IPW zone, a day nursery must:
(A) be located in a building containing a place of worship; and
(B) have an interior floor area no greater than 50% of the gross floor area of the first floor of the building.

(2) Place of Assembly

In an IPW zone, a place of assembly must be on a lot that has a minimum floor space index value of 6.0 or greater.

(3) Community Centre Use

In an IPW zone, a community centre must:
(A) be on a lot that fronts on a major street shown on the Policy Areas Overlay Map in Section 995.10; and
(B) have a gross floor area that is no greater than 1500 square metres.

(4) Library

In an IPW zone, a Library must:
(A) be on a lot that fronts a major street shown on the Policy Areas Overlay Map in Section 995.10; and
(B) the gross floor area no greater than 400 square metres.

(5) Municipal Shelter

In an IPW zone, a Municipal Shelter must comply with the applicable requirements of Section 150.22.

(6) Ancillary 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; and
(B) 25 square metres.

(7) **Ancillary Dwelling Unit**

In an IPW zone, 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 **interior floor area** of more than 250 square metres.

(8) **Ambulance Depot**

In the IPW Zone, a **lot** used for an ambulance depot must:

(A) front on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; or
(B) front on a **street** that intersects with a major **street** shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(9) **Fire Hall**

In the IPW Zone, a **lot** used for a fire hall must:

(A) front on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; or
(B) front on a **street** that intersects with a major **street** shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(10) **Police Station**

In the IPW Zone, a **lot** used for a police station must:

(A) front on a major **street** shown on the Policy Areas Overlay Map in Section 995.10; or
(B) front on a **street** that intersects with a major **street** shown on the Policy Areas Overlay Map and not be more than 250 metres from that intersection.

(11) **Public Utility**

In an IPW Zone, a **public utility** must not be:

(A) a sewage treatment plant;
(B) a water filtration plant; and
(C) a water reservoir.

(12) **Public Utility**

In the IPW Zone, a **public utility**, must be enclosed by walls and comply with the **lot coverage**, minimum **building setback** and maximum **building height** for the Institutional zone if it is:

(A) an electrical transformer station; or
(B) a natural gas regulator station.

(13) **Renewable Energy Production or Cogeneration Energy Production**

In an IPW zone, **renewable energy** production or **cogeneration energy** production must in conjunction with a permitted use existing on the **lot**, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(14) **Secondary Suite**

In the IPW zone, a **secondary suite** must comply with the specific use regulations in Section 150.10.

### 80.50.30 Lot Requirements

#### 80.50.30.20 Lot Frontage

(1) **Minimum Lot Frontage**

The minimum **lot frontage** required in an IPW Zone is 20.0 metres.
80.50.30.40 Lot 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 in Section 995.20, the maximum height of a building or structure on the lot is 15.0 metres; or

(B) a numerical value shown on the Height Overlay Map in Section 995.20, 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 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 1.5 metres.

(3) Building Height Architectural Elements
In an IPW zone, a minaret, steeple or similar architectural element on a place of worship building, may exceed the height of the building by 40%, if the area of the minaret, steeple or similar architectural element is no more than 30.0 square metres.

80.50.40.11 Height Exemptions

(1) Existing Building Height Exemptions
If a lawfully 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 lawfully existing minaret, steeple or similar architectural element in compliance with the applicable former zoning by-law or by a Section 45 Planning Act minor variance, and that architectural feature exceeds the maximum height permitted by this By-law, then the maximum height for that architectural feature is its lawfully existing height.

80.50.40.40 Floor Area

(1) Default Floor Space Index When None Assigned
In an IPW zone, 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, canopy, exterior stairs, access ramp or elevating device, 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 Building Setback From a Street
In an IPW zone, the minimum building setback from a lot line that abuts a street is:

(A) 3.0 metres if the street is a major street shown on the Policy Areas Overlay Map in Section 995.10; and
(B) for all other streets, the greater of:
   (i) 7.5 metres; or
   (ii) a distance equal to half the height of the building.

(2) Minimum Side Yard Setback
In an IPW zone, the minimum building setback from a side lot line that does not abut a street is the greater of:

(A) 3.0 metres; or
(B) the distance equal to half the height of the building.

(3) 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.

(4) 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.

80.50.40.71 Setbacks Exemptions

(1) Building Setback Exemptions for Existing Building
In an IPW zone, if a building used as a place of worship, was lawfully existing and the building is set back from a side lot line or rear lot line less than required by this By-law in regulations 80.50.40.70 (2) to (4), those actual existing building setbacks are the minimum required building setbacks from the respective lot lines for that lawfully existing building and any addition to that building must comply with the building setback requirements 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 must be used for landscaping and a minimum of 75 percent of the landscaping area must be soft landscaping.

(2) 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) Ancillary Building or Structure to be Set Back 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) Side Yard Setback and Rear Yard Setback - 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.

80.50.60.40 Height

(1) Height of Ancillary Buildings and Structures
In the Institutional Place of Worship Zone (IPW), the height of an ancillary building or structure is the distance between the average grade and the highest point of the building or structure.

80.50.80 Parking

80.50.80.10 Location

(1) Parking Space Location Restriction
In an IPW zone, a parking space may not be located in a front yard.

80.50.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
A parking space not located in a building or structure must be at least 0.5 metres from a lot line.

80.50.80.40 Access to Parking Space

(1) Access to Parking Space
In an IPW zone, 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 zones in the Open Space Zone category consists of the letters O, ON, OR, OG, OM or OC, indicating the primary land use permitted in the respective zone.

90.5.20 Permitted Uses

90.5.20.1 General

(1) Existing School
A lawfully existing public school or private school on a lot in the Open Space Zone category is permitted on that lot, and:
(A) any expansion or addition to the lawfully existing public school or private school building must comply with the requirements of Section 150.48 and the requirements for the zone in which the lot is located; and
(B) the lawfully existing public school or private school may be replaced with a new school building that complies with the requirements of Section 150.48 and the requirements for the zone in which the lot is located.

(2) Existing Place of Worship
A lawfully existing place of worship on a lot in the Open Space Zone category is permitted on that lot, and:
(A) any expansion or addition to the lawfully existing place of worship building must comply with the requirements of Section 150.50 and the requirements for the zone in which the lot is located; and
(B) the lawfully existing place of worship may be replaced with a new place of worship building that complies with the requirements of Section 150.50 and the requirements for the zone in which the lot is located.

90.5.40 Principal Building Requirements

90.5.40.10 Height

(1) Determining the Height of Buildings or Structures
In the Open Space Zone category, the height of a building or structure is the distance between the average grade and the elevation of the highest point of the building or structure.

(2) Height -- for Specified Structures
In the Open Space Zone category, the following structures located on the roof of a building may exceed the permitted maximum height for that building by:
(A) 1.5 metres for
   (i) parapets for a green roof, and
   (ii) weather vanes; or
(B) 5.0 metres for
   (i) antennae,
   (ii) flagpoles, and
   (iii) satellite dishes.
(3) Height -- for Functional Operation of a Building
   In the Open Space Zone category, the following equipment and structures located on the roof of a building may exceed the permitted maximum height for that building by 5.0 metres, subject to regulation 90.5.40.10 (4):
   (A) equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment;
   (B) structures or parts of the building used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, vents, and water supply facilities; and
   (C) structures that enclose, screen or cover the elements listed in (A) and (B) above.

(4) Height -- Horizontal Limits on Elements for Functional Operation of a Building
   In the Open Space Zone category, equipment, structures or parts of a building that exceed the maximum building height, as permitted by regulation 90.5.40.10 (3), must comply with the following:
   (A) the total area may cover no more than 30% of the area of the roof, measured horizontally; and
   (B) if located within 6.0 metres of a lot line abutting a street, their total horizontal dimension, measured parallel to the street, may not exceed 20% of the width of the building's main walls facing that street.

(5) Height -- for Rooftop Outdoor Recreation, Safety and Wind Protection
   In the Open Space Zone category, unenclosed structures providing safety or wind protection to rooftop recreational uses may exceed the permitted maximum height for that building by 3.0 metres, if the structures are no closer than 2.0 metres from the interior face of any main wall.

90.5.40.11 Height Exemptions
   (1) Permitted Height for Lawfully Existing Buildings
       In the Open Space Zone category, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height in this By-law, that lawful height is the permitted maximum height for that lawfully existing building or structure.
   (2) Additions to Lawfully Existing Buildings
       Any addition or extension to a lawfully existing building or structure referred to in 90.5.40.11 (1) must comply with the permitted maximum height in this By-law or be authorized by a Section 45 Planning Act minor variance.
   (3) Alterations to the Roof of Lawfully Existing Buildings
       Any alteration to the roof of a lawfully existing building referred to in regulation 90.5.40.11 (1) may be up to the permitted maximum height in regulation 90.5.40.11 (1).

90.5.40.40 Floor Area
   (1) Floor Space Index Calculation
       In the Open Space Zone category, the floor space index is the result of the gross floor area of a building divided by the area of the lot.

90.5.40.41 Floor Area Exemptions
   (1) Permitted Gross Floor Area for Lawfully Existing Buildings
       In the Open Space Zone category, if the lawful gross floor area of lawfully existing buildings on a lot is greater than the maximum gross floor area permitted by this By-law, that lawful gross floor area of those lawfully existing buildings is the permitted maximum gross floor area for those lawfully existing buildings.
   (2) Permitted Floor Space Index for Lawfully Existing Buildings
       In the Open Space Zone category, if the lawful gross floor area of lawfully existing buildings on a lot
results in a floor space index greater than the maximum floor space index permitted by this By-law, the floor space index resulting from those lawfully existing buildings on that lot is the maximum permitted floor space index for those lawfully existing buildings on that lot.

90.5.40.60 Permitted Encroachments

(1) Canopies and Awnings
In the Open Space Zone category, a canopy, awning or similar structure, with or without structural support, may encroach into a required building setback that abuts a street, if no part of the canopy, awning or similar structure is located more than 5.0 metres above the elevation of the grade directly below it.

90.5.40.70 Setbacks

(1) Building or Structure to be Set Back from a Lane
A building or structure in the Open Space Zone category may be no closer than 2.5 metres from the original centreline of a lane.

90.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings
In the Open Space Zone category, if the lawful building setback of a lawfully existing building or structure is less than the minimum building setback required by this By-law from:
   (A) a front lot line, that lawful building setback is the minimum front yard setback for that building or structure;
   (B) a rear lot line, that lawful building setback is the minimum rear yard setback for that building or structure; and
   (C) a side lot line, that lawful building setback is the minimum side yard setback for that building or structure.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building or structure referred to in regulation 90.5.40.71 (1) must comply with the minimum building setbacks in this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Permitted Setbacks for Lawfully Existing Building from a Lane
In the Open Space Zone category, if the lawful distance of a lawfully existing building or structure from the original centreline of a lane is less than the minimum distance from the original centreline of the lane required by this By-law, that lawful distance is the minimum distance from the original centreline of the lane for that lawfully existing building or structure.

(4) Additions Above Lawfully Existing Buildings in Relation to a Lane
The minimum distance from the original centreline of a lane for any addition or extension above a lawfully existing building or structure referred to in regulation 90.5.40.71 (3) is the minimum distance from the original centreline of the lane permitted by regulation 90.5.40.71 (3).

90.5.75 Energy Regulations

90.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device - Location Restriction
In the Open Space Zone category, a device producing renewable energy or cogeneration energy on a lot may not be closer to a lot line than the greater of:
   (A) 10 metres;
(B) the minimum building setback requirements for a building on the lot; or
(C) a distance equal to the height of the device, measured between the average grade at its base to the elevation of the highest part of the device.

(2) Renewable Energy Device - Height Requirements
In the Open Space Zone category, a photovoltaic energy device or a thermal solar energy device:
(A) located on a building,
   (i) must comply with the minimum building setback requirements, and
   (ii) no part of the device may higher than 3.0 metres above the permitted maximum height for the building; and
(B) if ground mounted, no part of the device may be more than 5.0 metres above the average grade at the base of the device.

(3) Wind Energy Device - Setbacks
In the Open Space Zone category, no part of a wind energy device on a lot may be closer to a lot line than the greater of:
(A) the minimum building setback requirements for a building on the lot; or
(B) a distance equal to two times the height of the device, measured between the average grade at its base to the elevation of the highest part of the device.

(4) Wind Energy Device - Height
In the Open Space Zone category, no part of a wind energy device may be more than 15.0 metres above the average grade at the base of the device.

(5) Geo-energy Requirements
In the Open Space Zone category, any above ground part of a geo-energy device on a lot:
(A) must be set back at least 10.0 metres from any lot line; and
(B) must comply with the requirements in this By-law for a building or structure on the lot, other than a building setback less than the requirement in (A) above.

(6) Cogeneration Device
In the Open Space Zone category, a cogeneration energy device must be located inside a permitted building.

90.5.80 Parking

90.5.80.1 General

(1) Use of Required Parking Space
   A parking space required by this By-law for a use in the Open Space Zone category must be available for the use for which it is required.

90.5.80.10 Location

(2) Location of Required Parking Spaces
   A parking space must be located on the same lot as the use for which the parking space is required.

90.10 Open Space Zone (O)

90.10.1 General

90.10.1.10 Interpretation
(1) Application of this Section
The regulations in Section 90.10 apply to all lands, buildings and structures in an O zone.

90.10.20 Permitted Uses

90.10.20.10 Permitted Use

(1) Use – O Zone
The following uses are permitted in an O zone:
   Park
   Public Utility
   Transportation Use.

90.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions – O Zone
The following uses are permitted in an O zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.10.20.100:
   Club (1)
   Cogeneration Energy Production (2)
   Education Use (1)
   Recreation Use (1)
   Renewable Energy Production (2)

90.10.20.100 Conditions

(1) Club, Education Use or Recreation Use
   In an O zone, a club, an education use or a recreation use must not be located in a building.

(2) Cogeneration Energy Production or Renewable Energy Production
   In an O zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

90.10.40 Principal Building Requirements

90.10.40.1 General

(1) Application of this Article
The regulations in Article 90.10.60 apply to all buildings or structures in an O zone.

90.10.40.10 Height

(1) Maximum Height
The maximum height of a building or structure in an O zone is 4.0 metres.

90.10.40.40 Floor Area

(1) Maximum Floor Area
In an O zone, the maximum gross floor area of a building or structure, other than swimming pools or other structures used to hold water, is 50.0 square metres.
90.10.40.70 Setbacks

(1) Building Setbacks
For a building or structure in an O zone, the minimum building setback from a front lot line, a rear lot line and a side lot line is:
(A) 1.5 metres, if its height is 2.0 metres or less; and
(B) 3.0 metres, if its height is greater than 2.0 metres.

90.20 Open Space - Natural Zone (ON)

90.20.1 General

90.20.1.10 Interpretation

(1) Application of this Section
The regulations in Section 90.20 apply to all lands, buildings and structures in an ON zone.

90.20.20 Permitted Uses

90.20.20.10 Permitted Use

(1) Use – ON Zone
The following uses are permitted in an ON zone:
Ambulance Depot
Agricultural Use
Fire Hall
Park
Police Station
Public Utility
Transportation Use.

90.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions – ON Zone
The following uses are permitted in an ON zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.20.20.100:
Club (1)
Cogeneration Energy Production (2)
Education Use (1)
Entertainment Place of Assembly (1)
Place of Assembly (1)
Recreation Use (1)
Renewable Energy Production (2)
Retail Store (3)
Stable (4)

90.20.20.100 Conditions

(1) Club, Education Use, Entertainment Place of Assembly, Place of Assembly, or Recreation Use
In an ON zone, a club, an education use, an entertainment place of assembly, a place of assembly, or a recreation use must:
(A) be together with a park or an agricultural use; and
(B) not be located in a wholly enclosed building.

(2) Cogeneration Energy Production or Renewable Energy Production
In an ON zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(3) Retail Store
In an ON zone, a retail store must:
(A) be together with an agricultural use on the same lot; and
(B) not be located in a wholly enclosed building.

(4) Stable
In an ON zone, a stable must be together with a park or an agricultural use.

90.20.40 Principal Building Requirements

90.20.40.1 General

(1) Application of this Article
The regulations in Article 90.20.40 apply to all buildings or structures in 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 building or structure on a lot in an ON zone is:
(A) the numerical value, in metres, following the letters 'HT' shown on the Height Overlay Map; or
(B) if the lot is in an area with no numerical value following the letters 'HT' shown on the Height Overlay Map, 15.0 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 500 square metres.

90.20.40.70 Setbacks

(1) Building Setbacks
In an ON zone, the minimum building setback from a front lot line, a rear lot line and a side lot line is 3.0 metres.

90.30 Open Space - Recreation Zone (OR)

90.30.1 General

90.30.1.10 Interpretation

(1) Application of this Section
The regulations in Section 90.30 apply to all lands, buildings and structures in an OR zone.
90.30.20 Permitted Uses

90.30.20.10 Permitted Use

(1) Use – OR Zone
   The following uses are permitted in an OR zone:
   Ambulance Depot
   Art Gallery
   Community Centre
   Day Nursery
   Entertainment Place of Assembly
   Fire Hall
   Library
   Museum
   Park
   Place of Assembly
   Police Station
   Public Utility
   Recreation Use
   Sports Place of Assembly
   Transportation Use.

90.30.20.20 Permitted Use - with Conditions

(1) Use with Conditions – OR Zone
   The following uses are permitted in an OR zone, if they comply with the specific conditions associated
   with the reference number(s) for each use in Clause 90.30.20.100:
   Amusement Arcade (1)
   Club (1)
   Cogeneration Energy Production (2)
   Eating Establishment (3)
   Education Use (1)
   Municipal Shelter (4)
   Outdoor Patio (5)
   Personal Service Shop (3)
   Public Works Yard (6)
   Renewable Energy Production (2)
   Retail Store (3)
   Service Shop (3)
   Stable (1)
   Take-out Eating Establishment (3)

90.30.20.100 Conditions

(1) Amusement Arcade, Club, Education Use, or Stable
   In an OR zone, an amusement arcade, a club, an education use, or a stable must be together with a
   use permitted in regulation 90.30.20.10 (1).

(2) Cogeneration Energy Production or Renewable Energy Production
   In an OR zone, cogeneration energy production or renewable energy production must be with another
   permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and
   regulations.

(3) Eating Establishment, Personal Service Shop, Retail Store, Service Shop, or Take-out Eating
    Establishment
   In an OR zone, an eating establishment, a personal service shop, a retail store, a service shop, or a
   take-out eating establishment:
(A) must be together with a use permitted in regulation 90.30.20.10 (1); and
(B) the interior floor area of the use, may be no greater than 500 square metres.

(4) Municipal Shelter
In an OR zone, a Municipal Shelter must comply with the applicable requirements of Section 150.22.

(5) Outdoor Patio
An outdoor patio in an OR zone, when together with an eating establishment:
(A) may be no closer than 10.0 metres from a lot in the Residential Zone category or the Residential Apartment Zone category;
(B) despite (A) above, if the outdoor patio is located above the first storey of the building, it may be no closer than 40.0 metres, measured horizontally, from a lot in the Residential Zone category or the Residential Apartment Zone category; and
(C) if the minimum distance of a lawfully existing outdoor patio on a lot is closer than the minimum distance requirements in (A) or (B) above, that lawful distance from a lot in a Residential Zone category or Residential Apartment Zone category is the minimum distance required for the lawfully existing outdoor patio.

(6) Public Works Yard
A public works yard in an OR zone is subject to the following:
(A) It must be together with a park or a recreation use; and
(B) open storage areas for a public works yard must be fenced.

90.30.40 Principal Building Requirements

90.30.40.1 General

(1) Application of this Article
The regulations in Article 90.30.40 apply to all buildings or structures in an OR zone.

90.30.40.10 Height

(1) Maximum Height
The maximum height for a building or structure on a lot in an OR zone is:
(A) the numerical value, in metres, following the letters “HT” shown on the Height Overlay Map; or
(B) if the lot is in an area with no numerical value following the letters “HT” shown on the Height Overlay Map, 15.0 metres.

90.30.40.70 Setbacks

(1) Front Yard Setbacks
In an OR zone, if a lot is located:
(A) beside one lot that has a lawfully existing building fronting on the same street and located, in whole or in part, 15.0 metres or less from the subject building, the minimum required front yard setback is the existing front yard setback of that lawfully existing building on the abutting lot; or
(B) between two abutting lots, each with a lawfully existing building fronting on the same street and located, in whole or in part, 15.0 metres or less from the subject building, the minimum required front yard setback is the average of the existing front yard setbacks of those lawfully existing buildings on the abutting lots; and
(C) in all other cases, the minimum front yard setback is 6.0 metres.

(2) Rear Yard Setback and Side Yard Setback
In an OR zone, the minimum rear yard setback and side yard setback is:

(A) a distance equal to the height of the building to a maximum of 15 metres, if a lot abuts a lot in the Residential Zone category or the Residential Apartment Zone category; and

(B) 3.0 metres in all other cases.

(3) Building Setbacks for Smaller Buildings or Structures
Despite regulations 90.30.40.70 (1) and (2), in an OR zone, the minimum building setback from a front lot line, a rear lot line and a side lot line is 1.5 metres, if:

(A) the height of the building or structure is 2.0 metres or less; and

(B) its gross floor area is 50.0 square metres or less.

90.40 Open Space - Golf Course Zone (OG)

90.40.1 General

90.40.1.10 Interpretation

(1) Application of this Section
The regulations in Section 90.40 apply to all lands, buildings and structures in an OG zone.

90.40.20 Permitted Uses

90.40.20.10 Permitted Use

(1) Use – OG Zone
The following uses are permitted in an OG zone:
Ambulance Depot
Golf Course
Fire Hall
Park
Police Station
Public Utility
Transportation Use.

90.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions – OG Zone
The following uses are permitted in an OG zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.40.20.100:
Amusement Arcade (1)
Club (2)
Cogeneration Energy Production (3)
Eating Establishment (2)
Education Use (2)
Outdoor Patio (4)
Personal Service Shop (5)
Place of Assembly (2)
Recreation Use (2)
Renewable Energy Production (3)
Retail Store (5)
Service Shop (5)
Take-out Eating Establishment (5)
90.40.20.100 Conditions

1. Amusement Arcade
   In an OG zone, an amusement arcade must:
   (A) be together with a park or a golf course; and
   (B) have no more than 12 amusement devices.

2. Club, Eating Establishment, Education Use, Place of Assembly, or Recreation Use
   In an OG zone, a club, an eating establishment, an education use, a place of assembly, or a recreation use must be together with a park or a golf course.

3. Cogeneration Energy Production or Renewable Energy Production
   In an OG zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

4. Outdoor Patio
   An outdoor patio in an OG zone:
   (A) may be no closer than 10.0 metres from a lot in the Residential Zone category or the Residential Apartment Zone category;
   (B) despite (A) above, if the outdoor patio is located above the first storey of the building, it may be no closer than 40.0 metres, measured horizontally, from a lot in the Residential Zone category or the Residential Apartment Zone category; and
   (C) if the minimum distance of a lawfully existing outdoor patio on a lot is closer than the minimum distance requirements in (A) or (B) above, that lawful distance from a lot in a Residential Zone category or Residential Apartment Zone category is the minimum distance required for the lawfully existing outdoor patio.

5. Personal Service Shop, Retail Store, Service Shop, or Take-out Eating Establishment
   In an OG zone, a personal service shop, a retail store, a service shop, or a take-out eating establishment:
   (A) must be together with a park or a golf course; and
   (B) the interior floor area of the use may no greater than 500 square metres.

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 all buildings or structures in an OG zone.

90.40.40.10 Height

1. Maximum Height
   The maximum height for a building or structure on a lot in an OG zone is:
   (A) the numerical value, in metres, following the letters "HT" shown on the Height Overlay Map; or
   (B) if the lot is in an area with no numerical value following the letters "HT" shown on the Height Overlay Map, 15.0 metres.

90.40.40.40 Floor Area

1. Floor Space Index
   In an OG zone, the maximum floor space index is 0.15.
90.40.70 Setbacks

(1) **Building Setbacks**

In an OG zone, the minimum building setback from a front lot line, rear lot line and side lot line is the greater of:

(A) 7.5 metres; or

(B) a distance equal to the height of the building or structure.

90.50 Open Space - Marina Zone (OM)

90.50.1 General

90.50.1.10 Interpretation

(1) **Application of this Section**

The regulations in Section 90.50 apply to all lands, buildings and structures in an OM zone.

90.50.20 Permitted Uses

90.50.20.10 Permitted Use

(1) **Use – OM Zone**

The following uses are permitted in an OM zone:

- Ambulance Depot
- Fire Hall
- Marina
- Park
- Police Station
- Public Utility
- Transportation Use.

90.50.20.20 Permitted Use - with Conditions

(1) **Use with Conditions – OM Zone**

The following uses are permitted in an OM zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.50.20.100:

- Amusement Arcade (1)
- Club (2)
- Cogeneration Energy Production (3)
- Eating Establishment (2)
- Education Use (2)
- Outdoor Patio (4)
- Personal Service Shop (5)
- Place of Assembly (2)
- Recreation Use (2)
- Renewable Energy Production (3)
- Retail Store (5)
- Service Shop (5)
- Take-out Eating Establishment (5)

90.50.20.100 Conditions

(1) Amusement Arcade
In an OM zone, an amusement arcade must:
(A) be together with a park or a marina; and
(B) have no more than 12 amusement devices.

(2) Club, Eating Establishment, Education Use, Place of Assembly, or Recreation Use
In an OM zone, a club, an eating establishment, an education use, a place of assembly, or a recreation use must be together with a park or a marina.

(3) Cogeneration Energy Production or Renewable Energy Production
In an OM zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(4) Outdoor Patio
An outdoor patio in an OM zone, when together with an eating establishment:
(A) must not be used for entertainment purposes such as listening to, watching or performing, music and dancing;
(B) may not be closer than 10.0 metres from a lot in a Residential Zone category or Residential Apartment Zone category;
(C) despite (B) above, if the outdoor patio is located above the first storey of the building, it may be no closer than 40.0 metres, measured horizontally, from a lot in a Residential Zone category or Residential Apartment Zone category; and
(D) if the minimum distance of a lawfully existing outdoor patio on a lot is closer than the minimum distance requirements in (B) or (C) above, that lawful distance from a lot in a Residential Zone category or Residential Apartment Zone category is the minimum distance required for the lawfully existing outdoor patio.

(5) Personal Service Shop, Retail Store, Service Shop, or Take-out Eating Establishment
In an OM zone, a personal service shop, a retail store, a service shop, or a take-out eating establishment:
(A) must be together with a park or a marina; and
(B) the interior floor area of the use may be no greater than 500 square metres.

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 all buildings or structures in an OM zone.

90.50.40.10 Height

(1) Maximum Height
The maximum height for a building or structure on a lot in an OM zone is:
(A) the numerical value, in metres, following the letters “HT” shown on the Height Overlay Map; or
(B) if the lot is in an area with no numerical value following the letters “HT” shown on the Height Overlay Map, 15.0 metres.

90.50.40.40 Floor Area

(1) Floor Space Index
In an OM zone, the maximum floor space index is 0.15.
90.50.40.70 Setbacks

(1) **Building Setbacks**

(A) In an OM zone, the minimum **building setback** from a *front lot line, rear lot line* and *side lot line* is the greater of:
   - (i) 7.5 metres; or
   - (ii) a distance equal to the height of the **building** or **structure**.

(B) Despite (A) above, no **building setback** is required from a *lot line* that is:
   - (i) at the shoreline of Lake Ontario; or
   - (ii) in Lake Ontario.

90.70 Open Space - Cemetery Zone (OC)

90.70.1 General

90.70.1.10 Interpretation

(1) **Application of this Section**

The regulations in Section 90.70 apply to all lands, **buildings** and **structures** in an OC zone.

90.70.20 Permitted Uses

90.70.20.10 Permitted Use

(1) **Use – OC Zone**

The following uses are permitted in an OC zone:
- Ambulance Depot
- **Cemetery**
- Fire Hall
- Police Station
- **Public Utility**
- Transportation Use.

90.70.20.20 Permitted Use - with Conditions

(1) **Use with Conditions – OC Zone**

The following uses are permitted in an OC zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 90.70.20.100:
- **Cogeneration Energy** Production (1)
- Crematorium (2)
- **Funeral Visitation Centre** (3)
- Office (4)
- **Renewable Energy** Production (1)
- Retail Store (4)

90.70.20.100 Conditions

(1) **Cogeneration Energy Production or Renewable Energy Production**

In an OC zone, **cogeneration energy** production or **renewable energy** production must be with another permitted use on the *lot*, and comply with all municipal, provincial and federal by-laws, statutes and
regulations.

(2) **Crematorium**
In an OC zone, a *crematorium* must be:
(A) together with a *cemetery*; and
(B) no closer than 30.0 metres from a *lot* in the Residential Zone category or Residential Apartment Zone category.

(3) **Funeral Visitation Centre**
In an OC zone, a *funeral visitation centre* must be together with a *cemetery*.

(4) **Office or Retail Store**
In an OC zone, an office or a *retail store* must be together with a *cemetery*, a *crematorium* or a *funeral visitation centre*.

### 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 all *buildings* or *structures* in an OC zone.

#### 90.70.40.10 Height

(1) **Maximum Height**
The maximum height for a *building* or *structure* on a *lot* in an OC zone is:
(A) the numerical value, in metres, following the letters ‘HT’ shown on the Height Overlay Map; or
(B) if the *lot* is in an area with no numerical value following the letters ‘HT’ shown on the Height Overlay Map, 15.0 metres.

#### 90.70.40.40 Floor Area

(1) **Floor Space Index**
In an OC zone, the maximum floor space index is 0.15.

#### 90.70.40.70 Setbacks

(1) **Building Setbacks**
In an OC zone, the minimum *building setback* from a *front lot line*, *rear lot line* and *side lot line* is the greater of:
(A) 7.5 metres; or
(B) a distance equal to the height of the *building* or *structure*; and
(C) Despite (A) and (B) above, for a monument with a height of 3.0 metres or less the minimum *front yard setback*, *rear yard setback* and *side yard setback* is 0.9 metres.

#### 90.70.40.80 Separation

(1) **Separation of Columbarium or Mausoleum from a Lot in Specified Zone Categories**
A *columbarium* or a *mausoleum* must be no closer to a *lot* in the Residential Zone category or Residential Apartment Zone category than:
(A) 7.5 metres, if its:
   (i) height is 2.0 metres or less, and
   (ii) volume is 15.0 cubic metres or less; 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 be no 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.

Chapter 100 Utility and Transportation

100.5 Regulations applying to the Utility and Transportation Zone Category

100.5.1 General

100.5.1.10 Interpretation

(1) Application of this Section
The regulations 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 zones in the Utility and Transportation Zones category consists of the letters UT, indicating the primary land use permitted in the zone.

100.5.75 Energy Regulations

(1) Renewable Energy or Cogeneration Energy Device - Location Restriction
In the Utility and Transportation Zone category, a device producing renewable energy or cogeneration energy on a lot may not be closer to a lot line than the greater of:
(A) 10 metres;
(B) the minimum building setback requirements for a building on the lot; or
(C) a distance equal to the height of the device, measured between the average grade at its base to the elevation of the highest part of the device.

(2) Renewable Energy or Cogeneration Energy Device - Height Regulations
In the Utility and Transportation Zone category, a photovoltaic energy device or a thermal solar energy device:
(A) located on a building,
   (i) must comply with the minimum building setback requirements, and
   (ii) no part of the device may higher than 3.0 metres above the permitted maximum height for the building; and
(B) if ground mounted, no part of the device may be more than 5.0 metres above the average grade at the base of the device.

(3) Wind Energy Device - Building Setbacks
In the Utility and Transportation Zone category, no part of a wind energy device on a lot may be closer to a lot line than the greater of:
(A) the minimum building setback requirements for a building on the lot; or
(B) a distance equal to two times the height of the device, measured between the average grade at its base to the elevation of the highest part of the device.

(4) Wind Energy Device - Height

In the Utility and Transportation Zone category, no part of a wind energy device may be more than 15.0 metres above the average grade at the base of the device.

(5) Geo-energy Requirements

In the Utility and Transportation Zone category, any above ground part of a geo-energy device on a lot:

(A) must be set back at least 10.0 metres from any lot line; and

(B) must comply with the requirements in this By-law for a building or structure on the lot, other than a building setback less than the requirement in (A) above.

(6) Cogeneration Device

In the Utility and Transportation Zone category, a cogeneration energy device that is closer than 30 metres from a lot in the Residential Zone category or the Residential Apartment Zone category must be located inside a permitted building.

100.5.80 Parking

100.5.80.1 General

(1) Use of Required Parking Space

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

100.5.80.10 Location

(1) Location of Required Parking Spaces

A parking space must be located on the same lot as the use for which the parking space is required.

100.10 Utility and Transportation Zone (UT)

100.10.1 General

100.10.1.5 Interpretation

(1) Application of this Section

The regulations in Section 100.10 apply to all lands, buildings and structures in the UT zone.

100.10.20 Permitted Uses

100.10.20.10 Permitted Use

(1) Use – UT Zone

The following uses are permitted in a UT zone:

Ambulance Depot
Market Garden
Fire Hall
Park
Police Station
Public Utility
Transportation Use.
100.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions – UT Zone

The following uses are permitted in a UT zone, if they comply with the specific conditions associated with the reference number(s) for each use in Clause 100.10.20.100:

- **Cogeneration Energy** Production (1)
- **Open Storage** (2)
- **Public Parking** (3)
- **Public Works Yard** (4)
- **Recreation Use** (5)
- **Renewable Energy** Production (1)
- **Vehicle Depot** (6)

100.10.20.100 Conditions

(1) **Cogeneration Energy Production or Renewable Energy Production**

In a UT zone, cogeneration energy production or renewable energy production must be with another permitted use on the lot, and comply with all municipal, provincial and federal by-laws, statutes and regulations.

(2) **Open Storage**

In a UT zone, open storage for a public utility or transportation use must be at least 100 metres from a lot in a zone that permits a dwelling unit.

(3) **Public Parking**

Public parking in a UT zone must be together with:

- (A) a transportation use that is provided by, or on behalf of the City of Toronto, Province of Ontario or Government of Canada; or
- (B) a park.

(4) **Public Works Yard**

In a UT zone, a public works yard must be at least 100 metres from a lot in a zone that permits a dwelling unit.

(5) **Recreation Use**

In a UT zone, a recreation use must not be located in a building.

(6) **Vehicle Depot**

In a UT zone, a vehicle depot for a public utility or a transportation use must be at least 100 metres from a lot in a zone that permits a dwelling unit.

100.10.40 Principal Building Requirements

100.10.40.80 Separation

(1) **Separation of Buildings or Structures for the Treatment of Sewage from Specified Zones**

In a UT zone, a building or structure used for the treatment of sewage must be at least 100 metres from a lot in a zone that permits a dwelling unit.

100.10.80 Parking

100.10.80.20 Setback

(1) **Parking Space to be Set Back from a Lot Line**

A parking space not located in a building or structure must be at least 0.5 metres from a lot line.
Chapter 150 Specific Use Regulations

150.5 Home Occupation

150.5.1 General

(1) Application of this Section
The regulations in Section 150.5 apply to every home occupation and premises containing a home occupation.

150.5.20 Use Requirements

(1) Home Occupation - Uses Not Permitted
A home occupation may not:
   (A) sell, rent or lease physical goods directly from the dwelling unit;
   (B) be a personal service shop;
   (C) be an office for a professional regulated under the College of Physicians and Surgeons of Ontario;
   (D) be an office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended;
   (E) be an animal shelter or kennel;
   (F) be a vehicle repair shop, a vehicle service shop, or a vehicle washing establishment; or
   (G) be a manufacturing use.

(2) Home Occupation - No Customer or Client Attending the Premises for Specified Reasons
A home occupation, other than one for an education use, may not have clients or customers attending the premises for:
   (A) consultations;
   (B) receiving services; or
   (C) obtaining physical goods.

(4) Home Occupation - No Outdoor Activities, Services, Display or Storage
A home occupation may not have outdoor activities, services, display or open storage.

(5) Home Occupation - Music or Dance Instruction Permitted in a Detached House Only
A home occupation for music or dance instruction and training may only be in a detached house.

(6) Home Occupation - Not Permitted with a Group Home or Residential Care Home
A home occupation is not permitted with a group home or a residential care home.

(7) Home Occupation - No Employee Other than the Business Operator
A home occupation may not have an employee working in the dwelling unit who is not the business operator.

(8) Home Occupation - Personal Services Permitted in an R Zone
Despite regulations 150.5.20 (1) and (2), a home occupation in an R zone may be a personal service shop, limited to the following types of services:
   (A) barber;
   (B) hairdresser;
   (C) beautician;
   (D) dressmaker;
   (E) seamstress; and
   (F) tailor.
(9) **Home Occupation - Health Related Professionals Office Permitted in an R Zone**

(A) Despite regulations 150.5.20 (1) and (2), a **home occupation** in an R zone may be:

(i) an office for a professional regulated under the College of Physicians and Surgeons of Ontario; and


(B) Despite regulation 150.5.20 (7), a **home occupation** in an R zone described in (A), above, may have one employee working in the **dwelling unit** in addition to the business operator.

### 150.5.40 Building Requirements

#### 150.5.40.1 General

(1) **Home Occupation - No Exterior Alteration to Building**

There must be no exterior alteration to a **building** to accommodate a **home occupation**.

(2) **Home Occupation - Health Related Professionals Office in an Apartment Building in an R Zone**

In an R zone, if a **dwelling unit** in an **apartment building** has a **home occupation** that is a service provided by a professional regulated under the College of Physicians and Surgeons of Ontario or under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended, the **dwelling unit** must be located on the **first floor** or in the **basement**.

#### 150.5.40.40 Floor Area

(1) **Home Occupation - Maximum Interior Floor Area**

The floor area for a **home occupation** may not exceed the lesser of:

(A) 25% of total **interior floor area** of the **dwelling unit** the **home occupation** is located in; or

(B) 100 square metres.

### 150.5.60 Ancillary Buildings and Structures

#### 150.5.60.1 General

(1) **Home Occupation - Not Permitted in an Ancillary Building**

A **home occupation** is not permitted in an **ancillary building** or **structure**.

### 150.10 Secondary Suite

#### 150.10.1 General

(1) **Application of this Section**

The regulations in Section 150.10 apply to every **secondary suite** and **premises** containing a **secondary suite**.

#### 150.10.20 Use Requirements

#### 150.10.20.1 General

(1) **Secondary Suite - Permitted in Certain Types of Residential Buildings**
A secondary suite may be located only in:

(A) a detached house;
(B) a semi-detached house; and
(C) a townhouse if it is in an R zone.

(2) 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.

(3) Secondary Suite - Number Permitted in a Townhouse in an R Zone
In an R zone, a dwelling unit in a townhouse may have a maximum of one secondary suite.

(4) Secondary Suite - Number Permitted in a Residential Building in an R Zone
Despite regulation 150.10.20.1 (2), in an R zone, a residential building originally constructed as a detached house or a semi-detached house may be converted to have more than one secondary suite.

(5) Secondary Suite - Permission in Zones Where a Detached House or Semi-Detached House Are Not Permitted Building Types
A secondary suite is permitted within a lawfully existing detached house or a lawfully existing semi-detached house in RA, RAC, CL, CR, I, IH, IE, IS, and IPW zones.

150.10.40 Building Requirements

150.10.40.1 General

(1) Secondary Suite - Age of Building
The entire building must have been constructed more than 5 years prior to the introduction of a secondary suite, excluding additions or exterior alterations described in regulation 150.10.40.1 (3).

(2) Secondary Suite - Age of Building in an R(u2) Zone
Despite regulation 150.10.40.1 (1), in an R zone with a numerical value of 2 following the letter 'u' in the zone label, a detached house referred to in regulation 150.10.20.1 (4) may be converted to have two or more secondary suites if the detached house was constructed more than 40 years prior to the introduction of the additional secondary suites, excluding additions or exterior alterations described in regulation 150.10.40.1 (3).

(3) Secondary Suite - Addition or Exterior Alteration

(A) An addition or exterior 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 exterior alterations may be on a main wall or roof that faces a street:

   (i) a porch or a basement extension under 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.

(4) Secondary Suite - In a Residential Zone Category With No FSI Requirement
If a building in a Residential Zone category is not subject to a maximum gross floor area or floor space index, a secondary suite may not be divided vertically from the dwelling unit, unless the entire secondary suite occupies only part of one original storey or only part of the original basement.

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 dwelling unit.
(2) Secondary Suite - Interior Floor Area Requirements in an R(u2) Zone

In an R zone with a numerical value of 2 following the letter ‘u’ in the zone label, a detached house referred to in regulation 150.10.20.1 (4) may be converted to have two or more secondary suites, if:

(A) the building has a minimum interior floor area of 460 square metres; and
(B) despite regulation 150.10.40.40 (1),
   (i) the dwelling unit and each secondary suite must have an interior floor area no less than 55.0 square metres, and
   (ii) a secondary suite in an attic must have an interior floor area no less than 42.0 square metres.

(3) Secondary Suite - Interior Floor Area Requirement in an R Zone

In an R zone that does not have a numerical value of 2 following the letter ‘u’ in the zone label, if there is more than one secondary suite, the average interior floor area for the dwelling unit and every secondary suite, must be no less than 65.0 square metres.

150.10.80 Parking

(1) Secondary Suite - Parking Space Requirement in an R Zone

Despite the parking space requirements in regulation 200.5.10.1 (1), in an R zone that does not have a numerical value of 2 following the letter ‘u’ in the zone label, no parking space is required for one secondary suite.

150.15 Group Home

150.15.1 General

(1) Application of this Section

The regulations in Section 150.15 apply to every group home or residential care home and premises containing a group home or residential care home.

(2) Foster Group Homes

Despite 150.15.1 (1), the regulations in Section 150.15 do not apply to a group home complying with the definition of a Parent Model Residence in the Child and Family Services Act, R.S.O. 1990, c. C.11. as amended.

150.15.20 Use Requirements

150.15.20.1 General

(1) Group Home or Residential Care Home - Use Restriction

A group home or a residential care home must occupy the whole of a building and not be combined with any other 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) a building originally constructed as a detached house; and
(B) in an R zone, a building originally constructed as a semi-detached house if it occupies the whole of the building.

150.15.30 Lot Requirements

150.15.30.1 General
(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 a lot with a group home or residential care home, measured in a straight line from nearest lot line to nearest lot line.

(2) **Correctional Use - Location**

A group home or a residential care home used for correctional purposes must be located on a lot that:

(A) is not in an RD zone; and

(B) has a front lot line abutting a major street shown on the Policy Areas Overlay Map.

### 150.15.80 Parking

#### 150.15.80.1 General

(1) **Group Home - Parking Space Requirements**

A group home must have at least two parking spaces of which:

(A) a minimum of one parking space must comply with the requirements for the zone and building type; and

(B) no more than one parking space may be located on the driveway.

### 150.20 Crisis Care Shelter

#### 150.20.1 General

(1) **Application of this Section**

The regulations in Section 150.20 apply to every crisis care shelter and premises containing a crisis care shelter.

#### 150.20.20 Use Requirements

#### 150.20.20.1 General

(1) **Crisis Care Shelter - Use Restriction**

A crisis care shelter must:

(A) occupy the whole of a building and not be combined with any other use; and

(B) be regulated or supervised pursuant to Province of Ontario or Government of Canada legislation.

#### 150.20.30 Lot Requirements

(1) **Crisis Care Shelter - Separation Distance and Location**

A crisis care shelter must:

(A) be a minimum distance of 250 metres from a lot with a crisis care shelter or municipal shelter, measured in a straight line from nearest lot line to nearest lot line; and

(B) be on a lot that has a front lot line or side lot line abutting:

(i) a major street shown on the Policy Areas Overlay Map; or

(ii) a street which intersects a major street shown on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within a distance of 80 metres from that intersection.
150.22 Municipal Shelter

150.22.1 General

(1) Application of this Section
The regulations in Section 150.22 apply to every municipal shelter and premises containing a municipal shelter.

150.22.30 Lot Requirements

(1) Municipal Shelter - Separation Distance and Location
A municipal shelter must:
(A) be a minimum distance of 250 metres from a lot with a crisis care shelter or municipal shelter, measured in a straight line from nearest lot line to nearest lot line; and
(B) be on a lot that has a front lot line or side lot line abutting:
   (i) a major street shown on the Policy Areas Overlay Map; or
   (ii) a street which intersects a major street shown on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within a distance of 80 metres from that intersection.

150.25 Rooming House

150.25.1 General

(1) Application of this Section
The regulations in Section 150.25 apply to every rooming house and premises containing a rooming house.

(2) Rooming House Permission
A rooming house must be located in an area shown on the Rooming House Overlay Map in Section 995.40, as Rooming House Areas A1, B1, B2, B3, and C1.

150.25.10 Rooming House Area 'A'

150.25.10.1 General

(1) General
In Rooming House Area A1, a rooming house is permitted if it complies with the regulations for the zone in which it is located, and with the regulations in Article 150.25.10.

(2) Rooming House Definition
In Rooming House Area A1, a rooming house means a building in which living accommodation is provided for at least three persons in separate rooms, each of which may have food preparation facilities or sanitary facilities, but not both. A rooming house may have one dwelling unit. A group home, residential care home, nursing home, retirement home, seniors community house, religious residence, student residence, tourist home, or hotel is not a rooming house.

150.25.10.2 Requirements

(1) Requirements
In Rooming House Area A1, a rooming house is subject to the following:
(A) it may be located on a lot if the:
(i) **lot area** is at least 460 square metres;
(ii) **lot frontage** is at least 12.0 metres;
(iii) **lot** is at least 300 metres from all other **lots** with a rooming house or **group home**; and
(iv) **lot** has at least 75 square metres of **soft landscaping** in the **side yard** or **rear yard**;

(B) it may be located in a **building**

(i) originally constructed as a **detached house**;
(ii) that has at least 23 square metres of **gross floor area** for each occupant;

(C) the **building** with the rooming house must be the principal residence of the owner of the **building**;

(D) the **building** may have no more than 10 occupants; and

(E) **parking spaces** must be provided at a minimum rate of 1.0 for the owner of the **building** plus 1.0 for every two occupants.

150.25.20 Rooming House Area 'B'

150.25.20.1 General

(1) **Rooming House Definition**

In Rooming House Areas B1, B2, and B3, a rooming house means a **building** in which living accommodation is provided for more than three persons in separate rooms, each of which may have food preparation facilities or sanitary facilities, but not both. A rooming house may have one or more **dwelling units**. A **group home**, **residential care home**, **nursing home**, **retirement home**, **seniors community house**, **religious residence**, **student residence**, **tourist home**, or **hotel** is not a rooming house.

150.25.20.2 Requirements

(1) **Conditions**

In Rooming House Areas B1 or B2, a rooming house is subject to the following:

(A) it may be located in a **building**:

(i) originally constructed as a **detached house** or **semi-detached house**;
(ii) that is at least 5 years old;
(iii) that has a minimum **interior floor area** of

(a) 9.0 square metres for each room used as living accommodation for a single occupant, and
(b) 7.0 square metres per occupant in each room with two or more occupants; and
(iv) if a room used for living accommodation has food preparation facilities exclusive to that room, the room must have an additional 4.0 square metres of **interior floor area**;

(B) **exterior alteration** to a **building** is not permitted, other than:

(i) one addition, if the maximum increase in the floor space index of the **building** is 0.15;
(ii) an addition to or the replacement of an existing platform such as a porch, deck or balcony, if it complies with the platform requirements for the zone in which the **building** is located;
(iii) an addition of one or more dormers in the roof if,

(a) the maximum **interior floor area** of each dormer is 2.3 square metres,
(b) the total maximum **interior floor area** of all dormers is not more than 9.3 square metres, and
(c) the increase in floor area is included in the maximum increase in the floor space index permitted in (i) above; and

(iv) work required by the Ontario Building Code or a City of Toronto By-law;

(C) if both halves of a **building** originally constructed as a **semi-detached house** are used as a
rooming house, one half may be converted to a use that is not a rooming house and the other half may continue to be used as a rooming house;

(D) a dwelling unit in a rooming house must have a minimum interior floor area of 33.0 square metres;

(E) a rooming house must have sanitary facilities, which include a toilet, wash basin, and a bath or a shower, at a minimum rate of one sanitary facility for every six occupants of the rooming house; and

(F) parking spaces must be provided at a minimum rate of 1.0 parking spaces for every three rooms used for living accommodation in excess of three rooms, and 1.0 parking spaces for every two dwelling units.

150.25.30 Rooming House Area 'B1'

150.25.30.1 General

(1) General

In Rooming House Area B1, a rooming house must comply with the requirements for the zone in which it is located, the definition in Clause 150.25.20.1, and the regulations Clause 150.25.20.2 and Article 150.25.30.

150.25.30.2 Requirements

(1) Maximum Number of Rooms

In Rooming House Area B1, the maximum number of rooms used for living accommodation in a rooming house is 6, not including rooms in a dwelling unit.

150.25.40 Rooming House Area 'B2'

150.25.40.1 General

(1) General

In Rooming House Area B2, a rooming house must comply with the requirements for the zone in which it is located, the definition in Clause 150.25.20.1, and the regulations in Clause 150.25.20.2 and Article 150.25.40.

150.25.40.2 Requirements

(1) Maximum Number of Rooms

In Rooming House Area B2, the maximum number of rooms used for living accommodation in a rooming house is 12, not including rooms in a dwelling unit.

150.25.50 Rooming House Area 'B3'

150.25.50.1 General

(1) General

In Rooming House Area B3, a rooming house must comply with the requirements for the zone in which it is located, the definition in Clause 150.25.20.1, and the regulations in Article 150.25.50.

150.25.50.2 Requirements
(1) **Conditions**  
In Rooming House Area B3, a rooming house is subject to the following:  
(A) the maximum number of **dwelling units** and rooms used for living accommodation in a rooming house is 25;  
(B) a rooming house is not permitted in a **building** originally constructed as an **apartment building**; and  
(C) **parking spaces** must be provided at a minimum rate of 1.0 **parking spaces** for every three rooms used for living accommodation in excess of three rooms, and 1.0 **parking spaces** for every two **dwelling units**.

### 150.25.120 Rooming House Area 'C'

#### 150.25.120.1 General

(1) **General**  
In Rooming House Area C1, a rooming house must comply with the requirements for the zone in which it is located, and with the regulations in Article 150.25.120.

(2) **Rooming House Definition**  
In Rooming House Area C1, a rooming house means a **building** in which living accommodation is provided for more than two persons in separate rooms, each of which may have food preparation facilities or sanitary facilities, but not both. A **group home**, **residential care home**, **nursing home**, **retirement home**, **seniors community house**, **religious residence**, **student residence**, **tourist home**, or **hotel** is not a rooming house.

#### 150.25.120.2 Requirements

(1) **Conditions**  
In Rooming House Area C1, a rooming house is subject to the following:  
(A) it must be on a **lot** that:  
   (i) abuts a major **street** shown on the Policy Areas Overlay Map; and  
   (ii) is at least 300 metres from a **lot** with a rooming house, **group home** or a **crisis care shelter**;  
(B) it must be in a **building**:  
   (i) originally constructed as a **detached house**, **semi-detached house**, or **duplex**; and  
   (ii) with a minimum of 41.0 square metres of **interior floor area** for each of the first three rooms used as living accommodation, plus 7.0 square metres of **interior floor area** for each additional room used as living accommodation;  
(C) it must occupy the whole of the **building** and must not be combined with another use;  
(D) the **building** may have no more than 10 occupants; and  
(E) **parking spaces** must be provided at a minimum rate of 1.0 for every three rooms used for living accommodation.

### 150.30 Senior's Community House

#### 150.30.1 General

(1) **Application of this Section**  
The regulations in Section 150.30 apply to every **seniors community house** and **premises** containing a **seniors community house**.
150.30.20 Use Requirements

150.30.20.1 General

(1) Seniors Community House - Use Restriction
   A seniors community house:
   (A) must occupy the whole of a building;
   (B) may not be combined with another use; and
   (C) may not have residents, excluding staff, less than 65 years old.

(2) Seniors Community House - Location Restriction
   A seniors community house may not be located in the area bounded on
   the north by Dundas 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 Requirements

(1) Seniors Community House - Separation Distance
   A seniors community house must be a minimum distance of 250 metres
   from a lot with a seniors community house, measured from nearest lot
   line to nearest lot line.

150.30.40 Building Requirements

(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 exterior alterations.

150.45 Day Nursery

150.45.1 General

(1) Application of this Section
   The regulations in Section 150.45 apply to every day nursery and premises
   containing a day nursery.

150.45.20 Use Requirements

150.45.20.1 General

(1) Day Nursery - Permitted Locations in Specified Zone Categories
   In the Residential Zone category or the Residential Apartment Zone
   category, a day nursery may only be located in an apartment building or a
   building with one or more of the following uses:
   (A) public school;
   (B) private school;
   (C) place of worship;
   (D) community centre; or
   (E) library.

(2) Day Nursery - Permitted in a Detached House or Semi-Detached House in the R Zone
   In addition to regulation 150.45.20 (1), in the R zone, a day nursery
   may be located in a building originally constructed as a detached house
   or a semi-detached house if:
(A) the day nursery occupies the entire building; or
(B) the day nursery is together with a dwelling unit that is the principal residence of the day nursery operator.

150.45.40 Building Requirements

(1) Day Nursery - Location in an Apartment Building
A day nursery in an apartment building must be located in the first storey.

(2) Day Nursery - Size Restriction in a School
A day nursery in a public school or a private school is subject to the following:
   (A) it must be located in the first storey; and
   (B) its interior floor area may be no greater than 40% of the gross floor area of the first floor of the building.

150.45.50 Yards

(1) Day Nursery - Yard Restrictions for a Children's Play Area
A children's play area for a day nursery:
   (A) in the Residential Zone category, may not be located in a front yard or a side yard abutting a street; and
   (B) in the Residential Apartment Zone category, may not be closer to a lot line abutting a street than 6.0 metres.

150.48 School

150.48.1 General

(1) Application of this Section
The regulations in Section 150.48 apply to every public school or private school and premises containing a public school or private school that are required to comply with the regulations in Section 150.48.

150.48.20 Use Requirements

150.48.20.30 Ancillary Uses

(1) Adult Education
An Adult Education School is permitted if it is located in a building used for a private school or public school or it is located in a building originally constructed as a private school or public school and the Adult Education School is funded by the provincial or federal government for the delivery of:
   (A) adult English or French as a second language (ESL or FSL) courses delivered by district school boards;
   (B) literacy and basic skills programming delivered by community agencies or district school boards;
   (C) credit courses for adults delivered by district school boards;
   (D) continuing education programs, including general interest courses, delivered by district school boards;
   (E) adult Aboriginal language programs delivered by district school boards; or
   (F) Canadian citizenship preparation programs delivered by district school boards.
(2) **Day Nursery**

A **day nursery** is permitted in a **building** used as a **private school** or a **public school**, or a **building** originally constructed as a **private school** or a **public school**, if:

(A) the **day nursery** is located on the **first floor**; and

(B) the **interior floor area** used by the **day nursery** is no greater than 40% of the **gross floor area** of the **first floor** of the **building**.

### 150.48.50 Yards

#### 150.48.50.10 Landscaping

(1) **School - Landscaping**

A **lot** with a **Public School** or a **Private School** must have:

(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) 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**, excluding areas used for play, walkways, **driveways**, parking, loading, student drop-off and pick-up.

### 150.48.60 Ancillary Buildings and Structures

#### 150.48.60.1 General

(1) **Ancillary Portable Classroom Building**

An **ancillary** portable classroom **building** is may be located on a **lot** with a **lawfully existing public school** or **private school** if the **ancillary** portable classroom **building** complies with Section 150.48 and the zone in which the **lot** is located.

#### 150.48.60.20 Setbacks

(1) **Ancillary Building and Structure Setbacks**

**Buildings** or **structure** that are **ancillary** to a **public school** or **private school** must:

(A) comply with the **building setback** requirements for the zone in which the **lot** is located; and

(B) despite (A) above, an **ancillary** portable classroom **building** must be set back from all **lot lines** a distance equal to at least one half the height of the **ancillary** portable classroom **building**.

#### 150.48.60.40 Height

(1) **Ancillary Portable Classroom Buildings - Height**

An **ancillary** portable classroom **building** must not be more than 4.0 metres in height.

(2) **Calculation of Height**

The height for an **ancillary** portable classroom **building**, is the distance between **average grade** and the highest part of the **building**, excluding permitted encroachments above the height limit.

#### 150.48.60.41 Height Exemptions

(1) **Ancillary Portable Classroom Building - Height**

The permitted maximum height for a **lawfully existing building**, **ancillary** to a **Public School** or **Private School** on a **lot** in a **Residential Zone** category, **Residential Apartment Zone** category, **Commercial Zone**
Category or Institutional Education Zone, is the greater of:

(A) the lawful height of the ancillary portable classroom on that lot; or
(B) the permitted maximum height for an ancillary building, for the zone in which the lot is located; or
(C) as authorized by a Section 45 Planning Act minor variance.

(2) Addition, Extension or Alteration to an Existing Ancillary Building

A building that is ancillary to a public school or private school and constructed after the date of the enactment of this By-law, or any addition, extension or alteration to a building referenced in regulation 150.48.60.41 (1) must comply with all the applicable requirements of this By-law.

150.48.150 Waste

(1) Waste Storage

All waste and recyclable material on the lot with a Public School or a Private School must be stored in a wholly enclosed building.

150.50 Place of Worship

150.50.1 General

(1) Application of this Section

The regulations in Section 150.50 apply to every place of worship and premises containing a place of worship that are required to comply with the regulations in Section 150.50.

150.50.20 Use Requirements

150.50.20.30 Ancillary Uses

(1) Other Uses

The following uses are permitted in combination with a place of worship:

(A) library or reading room if it is only accessible from inside the building;
(B) retail store if:

(i) the maximum interior floor area does not exceed the lesser of:

(a) 5 percent of the interior floor area of the worship area; or
(b) 25 square metres; and

(ii) sells religious goods only; and
(iii) it is only accessible from inside the building; and

(C) dwelling unit if:

(i) there is only one dwelling unit
(ii) the interior floor area of the dwelling unit does not exceed 250 square metres; and
(iii) the lot with the place of worship is located in the Residential Zone category, Residential Apartment Zone category, Commercial Residential Zone category or Commercial Residential Employment Zone category or Institutional Place of Worship Zone.

150.50.40 Building Requirements

150.50.40.10 Height
(1) Building Height - Architectural Elements

If a lawfully existing place of worship is located on a lot in a Residential Zone category or Apartment Residential Zone category, and it has a lawful architectural element such as a minaret, steeple or similar architectural element that exceeds the permitted maximum height for a building in this By-law, the permitted maximum height for the architectural element is its lawful height.

150.50.50 Yards

150.50.50.10 Landscaping

(1) Landscaping

Subject to regulation 5.10.50.10 (1), if a lot in a Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, I Zone or IE 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 for landscaping and a minimum of 75% of the front yard landscaping area must be used for soft landscaping; and

(C) if the lot abuts a lot in a Residential Zone category or Residential Apartment Zone category, there must be along the entire length of the part of the lot line abutting the lot in a residential zone:

(i) a 3.0 metre wide strip of land used only for soft landscaping; and

(ii) a fence.

(2) Driveway Access to a Lot Crossing a Landscaping Area

In the Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone or Institutional Education Zone, a lot containing a place of worship, may have a driveway cross a required landscaping area if it is not more than 6.0 metres in width.

150.50.80 Parking

150.50.80.10 Location

(1) Location of Vehicle Parking or Storage

On a lot in a Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone or Institutional Education Zone, with a place of worship, no part of an area used for the parking or storage of a vehicle may be 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 Exemptions

(1) Exception for Existing Parking Spaces

If a lawfully existing place of worship is located on a lot located in a Residential Zone category, Residential Apartment Zone category, Employment Zone category, and the number of lawfully existing parking spaces on the lot is less than that required by this By-law, then the number of lawfully existing parking spaces is the minimum number required for that lawfully existing place of worship; and

(A) if there is:

(i) an increase in the interior floor area for that use, parking spaces for that increased interior floor area must be provided in compliance with the requirements of this By-law; or

(ii) a change of use in that building, parking spaces must be provided in compliance with the requirements of this By-law.

150.50.150 Waste
(1) **Storage of Waste**

All waste and recyclable material on the lot with a place of worship must be stored in a wholly enclosed building.

### 150.80 Drive-Through

#### 150.80.1 General

(1) **Application of this Section**

The regulations in Section 150.80 apply to every drive through facility and premises containing a drive through facility.

#### 150.80.20 Use Requirements

(1) **Drive Through Facility – Use Restriction with Residential**

No person may use any land or erect or use any building or structure for the purpose of a drive through facility, in a zone that also permits a dwelling unit.

(2) **Drive Through Facility – A Use in Combination with Other Uses**

A drive through facility is a use that must be in combination with another use, neither of which may be construed as being ancillary to the other, and all regulations pertaining to each use apply.

(3) **Vehicle Stacking Space Dimensions**

A vehicle stacking space must be at least 3.0 metres wide by 6.5 metres long.

(4) **Drive Through Facility – Stacking Aisle Provisions**

A drive through facility:

(A) in combination with a use selling food or beverage, must provide at least ten vehicle stacking spaces in a stacking aisle; and

(B) not in combination with a use selling food or beverage, must provide at least four vehicle stacking spaces in a stacking aisle.

(5) **Drive Through Facility – Locational Restriction -- Stacking Aisle**

No portion of a drive through facility stacking aisle may be located in a front yard or side yard that abuts a street, unless the lot is in and abuts a lot in a E zone.

(6) **Stacking Aisle Location**

On a corner lot, the drive through facility stacking aisle may be located in a side yard that abuts a street, if the drive through facility stacking aisle is not located between the building and the street.

#### 150.80.40 Building Requirements

(1) **Drive Through Facility – Separation Distance**

A drive through facility, including stacking aisles, must be at least 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 this Section**

The regulations in Section 150.90 apply to every vehicle dealership and premises containing a vehicle dealership.
150.90.20 Use Requirements

(1) Vehicle Dealership - Major Street Location

A vehicle dealership must be on a lot with a front lot line that abuts a major street shown on the Policy Areas Overlay Map in Chapter 990.15.

(2) Vehicle Dealership - Outside Display and Storage

The outside display or storage of vehicles in combination with a vehicle dealership is subject to the following:

(A) the interior floor area of the vehicle dealership building is at least 150 square metres;
(B) vehicles may not be displayed or stored in required parking spaces;
(C) the area used for the outside display or storage of vehicles must:
   (i) be clearly identified and marked;
   (ii) be at least 3.0 metres from a lot line;
   (iii) have a fence installed along the adjacent lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category; and
   (iv) have a minimum 3.0 metre wide strip of soft landscaping along the adjacent street lot line.

150.92 Vehicle Fuel Station

150.92.1 General

(1) Application of this Section

The regulations in Section 150.92 apply to every vehicle fuel station and premises containing a vehicle fuel station.

150.92.20 Use Requirements

(1) Vehicle Fuel Stations in Combination with Other Uses

Despite regulations 5.10.1.10(2) and (3), if the requirements of this By-law for other uses in combination with a vehicle fuel station regulate the same area, the most restrictive regulation governs all uses on the lot.

(1) Vehicle Fuel Station - Restrictions on Retail Store and Personal Service Shop

The maximum interior floor area for a retail store and personal service shop in combination with a vehicle fuel station on a lot that abuts a lot in a Residential Zone category or Residential Apartment Zone category may be no more than 140 square metres.

(3) Vehicle Fuel Station - Outside Display and Storage

A vehicle fuel station may have outside display and storage if it is:

(A) no more than 20% of the area of the lot outside of wholly enclosed buildings; and
(B) enclosed by a fence.

(4) Vehicle Fuel Station - Propane Tank Requirement

A lot with a vehicle fuel station may have a propane tank that contains no more than 1500 litres of propane.

(5) Vehicle Fuel Station - Propane Tank Separation Requirements

If a vehicle fuel station has a propane tank that contains more than 100 litres of propane, the propane tank may be no closer than 7.5 metres from a lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category.

150.92.30 Lot Requirements
(1) Vehicle Fuel Station - Lot Frontage and Depth 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.

(2) Vehicle Fuel Station - Vehicle Access Requirements
   A lot with a vehicle fuel station must have two vehicle access points from the street to the lot that each are at least 6.0 metres and not more than 11.0 metres wide, measured along the street lot line.

(4) Vehicle Fuel Station - Vehicle Access - Separation Distances
   Vehicle access to a lot with a vehicle fuel station are subject to the following:
   (A) vehicle access points to the same lot must be separated by at least 7.5 metres, measured along the street lot line; and
   (B) a vehicle access point and the lot line of any abutting lot must be separated by at least 1.5 metres, measured along the street lot line.

(5) Vehicle Fuel Station - Vehicle Access for Corner Lots
   Each vehicle access to a vehicle fuel station on a corner lot must be at least 7.5 metres from the point of intersection of the front lot line and side lot line.

(6) Vehicle Fuel Station - Vehicle Access and Required Landscaping
   A vehicle access to a lot with a vehicle fuel station may cross required landscaping.

150.92.40 Building Requirements

(1) Vehicle Fuel Station - Building Setbacks
   A vehicle fuel station is subject to the following:
   (A) the minimum side yard setback for a building or structure is the greater of:
       (i) 3.0 metres;
       (ii) 4.5 metres from the side lot line if the lot abuts a lot in a Residential Zone category or Residential Apartment Zone category;
       (iii) 7.5 metres if the side lot line abuts a street; or
       (iv) the minimum side yard setback required for the zone in which it is located; and
   (B) the minimum rear yard setback for a building or structure is the greater of:
       (i) 3.0 metres;
       (ii) 7.5 metres if the lot abuts a lot in a Residential Zone category or Residential Apartment Zone category; or
       (iii) the minimum rear yard setback required for the zone in which it is located.

150.92.50 Yards

(1) Vehicle Fuel Station - Soft Landscaping
   A lot with a vehicle fuel station must have:
   (A) a minimum 1.5 metres wide strip of soft landscaping along the entire length of a lot line that abuts a street, excluding the part used for vehicle access to the lot; and
   (B) a minimum 3.0 metres wide strip of soft landscaping and a fence along the entire length of a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

150.92.60 Ancillary Buildings and Structures

(1) Vehicle Fuel Station - Lot Coverage Calculation
The area of a vehicle fuel station canopy above the fuel pumps is not included in the calculation of lot coverage.

1) Vehicle Fuel Station - Fuel Pump Island and Canopy Setbacks

   (A) Despite regulation 150.92.40(1), the edge of a canopy that is above the fuel pumps may no closer than 5.0 metres from a street lot line; and
   (B) Despite regulation 150.92.40(1), a fuel pump island must be no closer than:
       (i) 7.5 metres from a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category; and
       (ii) 6.0 metres from any other lot line.

2) Vehicle Fuel Station Canopy Height

   A vehicle fuel station canopy with or without structural support may not be more than 6.0 metres above the elevation of grade directly below it.

150.94 Vehicle Service Shop

150.94.1 General

   (1) Application of this Section

       The regulations in Section 150.94 apply to every vehicle service shop and premises containing a vehicle service shop.

150.94.20 Use Requirements

   (1) Vehicle Service Shop - Activity Limited to Inside Building

       All activities of a vehicle service shop must take place in a wholly enclosed building.

150.94.30 Lot Requirements

   (1) Vehicle Service Shop - Vehicle Access- Permitted Width

       Vehicle access to a lot with a vehicle service shop must have a width of at least 6.0 metres and no more than 11.0 metres, measured along the street lot line.

   (2) Vehicle Service Shop - Vehicle Access- Separation Distances

       Vehicle access to a lot with a vehicle service shop must be at least:

       (A) 7.5 metres from any other vehicle access on the lot; and
       (B) 3.0 metres from any lot line, other than the portion of the vehicle access that is used to access the street.

   (3) Vehicle Service Shop - Vehicle Access for Corner Lots

       Vehicle access to a vehicle service shop on a corner lot must be at least 7.5 metres from the point of intersection of the front lot line and side lot line.

150.94.40 Building Requirements

   (1) Vehicle Service Shop - Building Setbacks

       A vehicle service shop is subject to the following:

       (A) the minimum side yard setback for a building or structure is the greater of:

       (i) 3.0 metres;
       (ii) 4.5 metres from the side lot line if the lot abuts a lot in a Residential Zone category or
Residential Apartment Zone category;
(iii) 7.5 metres if the side lot line abuts a street; or
(iv) the minimum side yard setback required for the zone in which it is located; and
(B) the minimum rear yard setback for a building or structure is the greater of:
(i) 3.0 metres;
(ii) 7.5 metres if the lot abuts a lot in a Residential Zone category or Residential Apartment Zone category; or
(iii) the minimum rear yard setback required for the zone in which it is located.

150.94.50 Yards

(1) Vehicle Service Shop - Soft Landscaping
    A lot with a vehicle service shop must have:
    (A) a minimum 1.5 metres wide strip of soft landscaping along the entire length of a lot line that abuts a street, excluding the part used for vehicle access to the lot; and
    (B) a minimum 3.0 metres wide strip of soft landscaping and a fence along the entire length of a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

150.96 Vehicle Washing Establishment

150.96.1 General

(1) Application of this Section
    The regulations in Section 150.96 apply to every vehicle washing establishment with an interior floor area greater than 38 square metres and premises containing a vehicle washing establishment with an interior floor area greater than 38 square metres.

150.96.20 Use Requirements

(1) Vehicle Washing Establishment - Activity Limited to Inside Building
    All mechanical washing, waxing and drying operations must take place within a wholly enclosed building.

(2) Vehicle Washing Establishment - Stacking Aisle Requirements
    A mechanical vehicle washing establishment is subject to the following:
    (A) a minimum of 10 vehicle stacking spaces must be provided in a stacking aisle on the same lot; and
    (B) a vehicle stacking space must be at least 3.0 metres wide by 6.5 metres long.

(4) Vehicle Washing Establishment - Restrictions on Other Uses
    The maximum interior floor area for a retail store and personal service shop on a lot with a vehicle washing establishment is 20.0 square metres.

150.96.30 Lot Requirements

(1) Vehicle Washing Establishment - Location
    A vehicle washing establishment must:
    (A) be on a lot that abuts a major street on the Policy Areas Overlay Map, as shown in Chapter 990.15; and
    (B) be on a lot with a front lot line that is at least 26.0 metres wide.
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(2) Vehicle Washing Establishment - Vehicle Access - Permitted Width

Vehicle access to a lot with a vehicle washing establishment must have a width that is at least 6.0 metres and no more than 11.0 metres, measured along the street lot line.

(3) Vehicle Washing Establishment - Fence Requirement

The lot lines abutting another lot line on a corner lot with a vehicle washing establishment must be fenced.

(4) Vehicle Washing Establishment - Vehicle Access - Separation Distances

Vehicle access to a lot with a vehicle washing establishment are subject to the following:

(A) each vehicle access to the same lot must be separated by at least 7.5 metres, measured along the street lot line; and

(B) a vehicle access and the lot line of an abutting lot must be separated by at least 3.0 metres, measured along the street lot line.

(5) Vehicle Washing Establishment - Vehicle Access for Corner Lots

Each vehicle access to a vehicle washing establishment on a corner lot must be at least 7.5 metres from the point of intersection of the front lot line and side lot line.

150.96.40 Building Requirements

(1) Vehicle Washing Establishment - Building Setbacks

A vehicle washing establishment is subject to the following:

(A) the minimum side yard setback for a building or structure is the greater of:

(i) 3.0 metres;

(ii) 4.5 metres from the side lot line if the lot abuts a lot in a Residential Zone category or Residential Apartment Zone category;

(iii) 7.5 metres if the side lot line abuts a street; or

(iv) the minimum side yard setback required for the zone in which it is located; and

(B) the minimum rear yard setback for a building or structure is the greater of:

(i) 3.0 metres;

(ii) 7.5 metres if the lot abuts a lot in a Residential Zone category or Residential Apartment Zone category; or

(iii) the minimum rear yard setback required for the zone in which it is located.

(2) Vehicle Washing Establishment - Building Setbacks from Entrance and Exit

The vehicular entrance and exit from a vehicle washing establishment building must be at least 12.0 metres from any lot line abutting a street.

150.100 Eating Establishment

150.100.1 General

(1) Application of this Section

The regulations in Section 150.100 apply to every eating establishment and premises containing an eating establishment.

150.100.20 Use Requirements

(2) Eating Establishment - Other Uses

Other uses combined with an eating establishment are subject to the following:

(A) The following may occupy a maximum of 6% of the total interior floor area of the eating
establishment to a maximum of 50 square metres:

(i) dance floor;
(ii) stage;
(iii) teletheatre gambling;
(iv) disc jockey;
(v) sound room;
(vi) areas dedicated to recreational activities; and
(vii) any other entertainment area; and

(B) other than an outdoor patio, all uses must be entirely in the building with the eating establishment.

150.100.30 Lot Requirements

(1) Eating Establishment - Fence Required if abutting a Lot in a Residential Zone
A lot with an eating establishment must have a fence along the portion of a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

(2) Eating Establishment - Separation from Residential Zone & Residential Apartment Zone Categories
An eating establishment with an interior floor area greater than 1,000 square metres must be at least 300 metres from a lot in a Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the eating establishment is in combination with a hotel.

150.110 Adult Entertainment Establishment

150.110.1 General

(1) Application of this Section
The regulations in Section 150.110 apply to every adult entertainment establishment and premises containing an adult entertainment establishment.

150.110.30 Lot Requirements

(1) Adult Entertainment Establishment - Separation Distance
A lot that has an adult entertainment establishment must be:

(A) at least 500 metres from a lot in a Residential Zone category, Residential Apartment Zone category or Institutional School Zone; and
(B) at least 100 metres from a lot that has an adult entertainment establishment.

150.120 Funeral Home

150.120.1 General

(1) Application of this Section
The regulations in Section 150.120 apply to every funeral home and premises containing a funeral home.

150.120.30 Lot Requirements

(2) Funeral Home - Location
A funeral home must be on a lot that abuts a major street on the Policy Areas Overlay Map, as shown in Chapter 990.15.

150.120.50 Yards

(1) Funeral Home - Fence Requirements

A lot with a funeral home must have a fence along the portion of a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

150.120.80 Parking

(1) Funeral Home - Parking Area to be Set Back

An area with parking spaces for a funeral home must be at least 1.5 metres from a lot line that abuts a lot in a Residential Zone category or Residential Apartment Zone category.

150.130 Firing Range

150.130.1 General

(1) Application of this Section

The regulations in Section 150.130 apply to every firing range and premises containing a firing range.

(2) Firing Range Interpretation

A firing range or shooting range is not included in any other term defined in this By-law.

150.130.20 Use Requirements

(2) Firing Range Use

A firing range or shooting range for the discharge of a firearm must:

(A) located in an wholly enclosed building; and

(B) operated by the Canadian Armed Forces, or by a public police force or other body operating under the authorization of a Municipal, Provincial or Federal government.
Chapter 200 Parking Space Regulations

200.5 Regulations applying to Parking Spaces

200.5.1 General

(1) Application of This Section
The regulations in Section 200.5 apply to all parking spaces.

(2) Requirement to Provide Parking Spaces
A parking space must be provided for each use on a lot in an amount that complies with the regulations in Chapter 200 - Parking Space Regulations.

(3) Drive Aisle Width
The following are the minimum drive aisle widths:

(A) If the centreline of a parking space is at an interior angle of 70 to 90 degrees to the centreline of the drive aisle providing 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.

200.5.1.10 Interpretation

(1) Application of Parking Space Rates in Policy Areas 3 and 4
A lot located entirely or partly within Policy Area 3 or Policy Area 4 as shown on the Policy Area Overlay Map found in Chapter 990 is subject to the following:

(A) if the buildings on the lot cover at least 50% of the area located within 40 metres of the lot line that abuts the street in the Policy Area, the parking space rates for uses in that policy area apply to the entire lot; and

(B) in cases other than (A) above, the applicable parking space rate for a use is the parking space requirements for uses not located in Policy Area 1, Policy Area 2, Policy Area 3 or Policy Area 4.

(2) Parking Space Dimensions - Minimum
A parking space is subject to the following:

(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; and
(iv) the minimum width in (ii) must be increased by 0.3 metres for each side of the parking space that is obstructed according to (D) below; and

(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) width - 2.9 metres;
(iii) vertical clearance - 2.0 metres; and
(iv) the minimum width in (ii) must be increased by 0.3 metres for each side of the parking space that is obstructed according to (D) below; and
(C) The minimum dimensions of a parking space that is adjacent and parallel to a drive aisle from which access is provided are:

(i) length - 6.7 metres;
(ii) width - 2.6 metres;
(iii) vertical clearance - 2.0 metres; and
(iv) the minimum width in (ii) must be increased by 0.3 metres for each side of the parking space that is obstructed according to (D) below; and

(D) 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) Parking Space Dimensions - Maximum

(i) length - 6.0 metres
(ii) width - 3.2 metres

(4) Vertical Clearance of a Parking Space

The minimum vertical clearance for a parking space extends over the entire length and width of the parking space. A wheel stop with a height of less than 18.0 centimetres is permitted in the parking space without affecting the minimum height.

(5) Tandem Parking Spaces

A required parking space may not be a tandem parking space, except when it is required for a secondary suite, group home or duplex building.

(6) Tandem Parking Space Minimum Dimensions

A tandem parking space must have the following minimum dimensions:

- Length: 5.6 metres
- Width: 2.6 metres
- Vertical Clearance: 2.0 metres

(7) Calculation of Required Parking Space - Vacant Building Space

The parking space requirement for vacant floor space in a building is calculated as follows:

(A) the previous use of that building or part of the building;
(B) the land use identified on the issued building permit; or
(C) if a building or part of a building has never been used, and its intended use has never been identified in a building permit, the parking space requirement is based on the permitted use in the zone that has the lowest minimum parking space requirement.

(8) 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 calculated by multiplying the gross floor area of the use by the applicable rate found in Table 200.5.10.10 - Parking Space Rates and Parking Space Occupancy.

(9) 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 is rounded down to the nearest whole number, but there must not be less than one parking space.

(10) Parking Space to be Clearly Marked

All parking spaces required for a non-residential use must be clearly identified and marked.

(11) Multiple Dwelling Unit Buildings Parking Rates

For the purpose of calculating parking space requirements, a Multiple Dwelling Unit Building means two or more residential buildings, other than an apartment building, on lands where the driveway access to the buildings or to a parking area, is a common element over a “Parcel of Tied Land”.

(12) 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 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,

(C) in (A) and (B) above, the vehicle entrance or exit to the building must be at least 6.0 metres from the lot line abutting the street.

(13) Parking Space Calculation - Gross Floor Area Exclusion

The interior floor area of a portion of a building that is used exclusively for heating, cooling, ventilation, electrical, fire emergency stairwells, elevator shafts, atriums, utility areas, storage areas in the basement, parking space, loading space, or a drive aisle used to access a parking space or loading space, is not included in the gross floor area for the purpose of calculating parking space requirements.

(14) Parking Space Access

Other than stacked parking spaces 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. A gate, moveable barrier or similar security feature is not an obstruction.

200.5.10 Parking Rates

200.5.10.1 General

(1) Parking Space Rates

Off-street parking spaces must be provided for every building or structure erected or enlarged, in compliance with Table 200.5.10.10 - Parking Space Rates And Parking Space Occupancy below:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Parking Rate</th>
<th>AM</th>
<th>PM</th>
<th>Eve</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Education School</td>
<td>Parking spaces must be provided:</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at</td>
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<td></td>
<td>a minimum rate of 1.0 for each 100 square metres of gross floor area;</td>
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<td></td>
<td>(B) in Policy Area 4 (PA4) at a minimum rate of 1.5 for each 100 square</td>
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<td></td>
<td>metres of gross floor area; and</td>
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<td></td>
<td>(C) in all other areas of the City, at a minimum rate of 2.0 for each</td>
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<tr>
<td></td>
<td>100 square metres of gross floor area.</td>
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<tr>
<td>Adult Entertainment Establishment</td>
<td>Parking spaces must be provided:</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 3.0 for each 100 square</td>
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<td></td>
<td>metres of gross floor area;</td>
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<td></td>
<td>(B) in Policy Area 2 (PA2) at a minimum rate of 4.5 for each 100 square</td>
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<td></td>
<td>metres of gross floor area;</td>
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<td></td>
<td>(C) in Policy Area 3 (PA3) at a minimum rate of 5.5 for each 100 square</td>
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<td></td>
<td>metres of gross floor area;</td>
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<td></td>
<td>(D) in Policy Area 4 (PA4) at a minimum rate of 5.5 for each 100 square</td>
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<td>metres of gross floor area;</td>
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<td></td>
<td>(E) in all other areas of the City, at a minimum rate of 7.0 for each</td>
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<tr>
<td></td>
<td>100 square metres of gross floor area.</td>
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</tbody>
</table>
### Parking Occupancy Rate

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Parking Rate</th>
<th>AM</th>
<th>PM</th>
<th>Eve</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative Housing</td>
<td>Parking spaces must be provided at a minimum rate of 0.1 for each dwelling unit.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Ambulance Depot</td>
<td>Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Amusement Arcade</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
<td>25%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Animal Shelter</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 0.4 for each 100 square metres of gross floor area; and</td>
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<tr>
<td></td>
<td>(B) in the rest of the City at a minimum rate of 1 for each 100 square metres of gross floor area.</td>
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<tr>
<td>Artist Studio</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
<td>25%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Art Gallery</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
<td>100%</td>
<td>100%</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4)</td>
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<td></td>
<td>at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area.</td>
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<tr>
<td>Assisted Housing</td>
<td>If a dwelling unit is located in an Apartment Building, parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) for each dwelling unit at a minimum rate of</td>
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<tr>
<td></td>
<td>(i) 0.12 for a bachelor dwelling unit up to 45 square metres and 0.5 for each bachelor dwelling unit greater than 45 square metres;</td>
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<td></td>
<td>(ii) 0.18 for a one bedroom dwelling unit;</td>
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<td></td>
<td>(iii) 0.3 for a two bedroom dwelling unit; and</td>
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<td></td>
<td>(iv) 0.5 for three bedroom or more dwelling unit; and</td>
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<td></td>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4), for each dwelling unit at a minimum rate of:</td>
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<td></td>
<td>(i) 0.14 for a bachelor dwelling unit up to 45 square metres and 0.5 for each bachelor dwelling unit greater than 45 square metres;</td>
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<td>(ii) 0.24 for a one bedroom dwelling unit;</td>
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<td>(iii) 0.4 for a two bedroom dwelling unit; and</td>
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<td>(iv) 0.75 for three bedroom or more dwelling unit and</td>
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<td></td>
<td>(C) in all other areas of the City for each dwelling unit at a minimum rate of:</td>
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<tr>
<td></td>
<td>(i) 0.16 for a bachelor dwelling unit up to 45 square metres and 0.5 for each bachelor dwelling unit greater than 45 square metres;</td>
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<tr>
<td></td>
<td>(ii) 0.3 for a one bedroom dwelling unit;</td>
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<td></td>
<td>(iii) 0.5 for a two bedroom dwelling unit; and</td>
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<tr>
<td></td>
<td>(iv) 0.9 for three bedroom or more dwelling unit.</td>
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<tr>
<td>Land Use</td>
<td>Parking Rate</td>
<td>AM</td>
<td>PM</td>
<td>Eve</td>
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<tr>
<td>Billiard Hall, Pool Hall</td>
<td>Parking spaces must be provided:</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 2.5 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(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</td>
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<td></td>
<td>(C) in all other areas of the City at a minimum rate of 4.0 for each 100 square metres of gross floor area.</td>
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<tr>
<td>Bowling Alley</td>
<td>Parking spaces must be provided:</td>
<td></td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 2.5 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(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</td>
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<td></td>
<td>(C) in all other areas of the City at a minimum rate of 4.0 for each 100 square metres of gross floor area.</td>
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<tr>
<td>Bus Station</td>
<td>Parking spaces must be provided:</td>
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<tr>
<td></td>
<td>(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</td>
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<td></td>
<td>(B) in all other areas of the City at a minimum rate of 0.2 for each 100 square metres of gross floor area.</td>
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<tr>
<td>Cabaret</td>
<td>Parking spaces must be provided at the same rate as an eating establishment</td>
<td></td>
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<tr>
<td>Cemetery</td>
<td>Parking spaces must be provided at a minimum rate of 2.0 for each 100 square metres of gross floor area.</td>
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<tr>
<td>Clinic, (e.g. Public Health Clinic, Addiction Clinic)</td>
<td>Parking spaces must be provided :</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3):</td>
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<tr>
<td></td>
<td>(i) at a minimum rate of 0.4 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(ii) at a maximum rate of 0.8 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(B) in Policy Area 4 (PA4):</td>
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<tr>
<td></td>
<td>(i) at a minimum rate of 0.6 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(ii) at a maximum rate of 1.0 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(C) in all other areas of the City, at a minimum rate of 1.0 for each 100 square metres of gross floor area.</td>
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<tr>
<td>Club</td>
<td>Parking spaces must be provided:</td>
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<td></td>
<td>(A) in Policy Area 1 (PA1), at a minimum rate of 3.0 for each 100 square metres of gross floor area;</td>
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<td>(B) in Policy Area 2 (PA2), at a minimum rate of 4.5 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(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;</td>
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<tr>
<td></td>
<td>(D) in all other areas of the City at a minimum rate of 7.0 for each 100 square metres of gross floor area.</td>
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<tr>
<td>Land Use</td>
<td>Parking Rate</td>
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<td>---------------------------------------------------</td>
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</tr>
<tr>
<td>Community Centre</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>
|                                                   | (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  
|                                                   | (ii) at a maximum rate of 1.3 for each 100 square metres of gross floor area; and  
|                                                   | (B) in all other areas of the City at a minimum rate of 3.0 for each 100 square metres of gross floor area. |     |     |     |
| Contractor's Establishment                        | 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 of Law                                      | Parking spaces must be provided:                                              | 100%| 100%| 0%  |
|                                                   | (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. |     |     |     |
| Crisis Care Shelter, Municipal Shelter, Residential Care Home | Parking spaces must be provided:                                              | 100%| 100%| 100%|
|                                                   | (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. |     |     |     |
| Day Nursery                                       | Parking spaces must be provided:                                              | 100%| 100%| 50% |
|                                                   | (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. |     |     |     |
| 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 for each dwelling unit. | 100%| 100%| 100%|
| Dwelling unit in a Multiple Dwelling Unit Buildings - Resident Parking Space | Parking spaces must be provided at a minimum rate of 1.0 for each dwelling unit. | 100%| 100%| 100%|
| Dwelling unit in a Multiple Dwelling Unit Buildings – Visitor Parking Space | Parking spaces must be provided at a minimum rate of 0.5 for each 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.

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Parking Rate</th>
</tr>
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<tbody>
<tr>
<td>Dwelling unit in an Apartment Building</td>
<td>If a dwelling unit is located in an apartment building, parking spaces must be provided:</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1):</td>
</tr>
<tr>
<td></td>
<td>(i) at a minimum rate of:</td>
</tr>
<tr>
<td></td>
<td>(a) 0.3 for each bachelor dwelling unit up to 45 square metres and 1.0 for each bachelor dwelling unit greater than 45 square metres;</td>
</tr>
<tr>
<td></td>
<td>(b) 0.5 for each one bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(c) 0.8 for each two bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(d) 1.0 for each three or more bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(ii) at a maximum rate of:</td>
</tr>
<tr>
<td></td>
<td>(a) 0.4 for each bachelor dwelling unit up to 45 square metres and 1.2 for each bachelor dwelling unit greater than 45 square metres;</td>
</tr>
<tr>
<td></td>
<td>(b) 0.7 for each one bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(c) 1.2 for each two bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(d) 1.5 for each three or more bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(B) in Policy Area 2 (PA2) and Policy Area 3 (PA3):</td>
</tr>
<tr>
<td></td>
<td>(i) at a minimum rate of:</td>
</tr>
<tr>
<td></td>
<td>(a) 0.6 for each bachelor dwelling unit up to 45 square metres and 1.0 for each bachelor dwelling unit greater than 45 square metres;</td>
</tr>
<tr>
<td></td>
<td>(b) 0.7 for each one bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(c) 0.9 for each two bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(d) 1.0 for each three or more bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(ii) at a maximum rate of:</td>
</tr>
<tr>
<td></td>
<td>(a) 0.9 for each bachelor dwelling unit up to 45 square metres and 1.3 for each bachelor dwelling unit greater than 45 square metres;</td>
</tr>
<tr>
<td></td>
<td>(b) 1.0 for each one bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(c) 1.3 for each two bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(d) 1.5 for each three or more bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(C) in Policy Area 4 (PA4):</td>
</tr>
<tr>
<td></td>
<td>(i) at a minimum rate of:</td>
</tr>
<tr>
<td></td>
<td>(a) 0.7 for each bachelor dwelling unit up to 45 square metres and 1.0 for each bachelor dwelling unit greater than 45 square metres;</td>
</tr>
<tr>
<td></td>
<td>(b) 0.8 for each one bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(c) 0.9 for each two bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(d) 1.1 for each three or more bedroom dwelling unit;</td>
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<tr>
<td></td>
<td>(ii) at a maximum rate of:</td>
</tr>
<tr>
<td></td>
<td>(a) 1.0 for each bachelor dwelling unit up to 45 square metres and 1.3 for each bachelor dwelling unit greater than 45 square metres;</td>
</tr>
<tr>
<td></td>
<td>(b) 1.2 for each one bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(c) 1.3 for each two bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(d) 1.6 for each three or more bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(D) in all other areas of the City:</td>
</tr>
<tr>
<td></td>
<td>(i) at a minimum rate of:</td>
</tr>
<tr>
<td></td>
<td>(a) 0.8 for each bachelor dwelling unit up to 45 square metres and 1.0 for each bachelor dwelling unit greater than 45 square metres;</td>
</tr>
<tr>
<td></td>
<td>(b) 0.9 for each one bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(c) 1.0 for each two bedroom dwelling unit;</td>
</tr>
<tr>
<td></td>
<td>(d) 1.2 for each three or more bedroom dwelling unit.</td>
</tr>
<tr>
<td>Land Use</td>
<td>Parking Rate</td>
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<tr>
<td>----------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Dwelling unit in an Apartment Building - Visitor Parking | If a dwelling unit is located in an Apartment Building, parking spaces for visitors must be provided:  
(A) in Policy Area 1 (PA1) at a minimum rate of 0.1 for each dwelling unit;  
(B) in Policy Area 2 (PA2) at a minimum rate of 0.1 for each dwelling unit;  
(C) in Policy Area 3 (PA3) at a minimum rate of 0.1 for each dwelling unit;  
(D) in Policy Area 4 (PA4) at a minimum rate of 0.15 for each dwelling unit; and  
(E) in all other areas of the City at a minimum rate of 0.2 for each dwelling unit. | 10% | 35% | 100% |
| Dwelling unit in a Mixed Use Building         | Parking spaces are to be provided at the same rate as a Dwelling unit in an Apartment Building.        | 100%| 100%| 100% |
| Eating Establishment                          | Parking spaces must be provided:  
(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;  | 100%| 100%| 100% |
| Education Use                                 | 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%  |
<table>
<thead>
<tr>
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<th>AM</th>
<th>PM</th>
<th>Eve</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Entertainment Place of Assembly</strong> (includes premises used to provide entertainment, such as a theatre, cinema, opera, concert hall or ballet)</td>
<td>Parking spaces for visitor use must be provided at the a minimum rate of:</td>
<td></td>
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<tr>
<td></td>
<td>(A) 5.0 for each 100 square metres of gross floor area in Policy Area 1 (PA1);</td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td>(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</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>(C) 10.0 for each 100 square metres of gross floor area in all other areas.</td>
<td></td>
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</tr>
<tr>
<td><strong>Financial Institution</strong></td>
<td>Parking spaces must be provided:</td>
<td>20%</td>
<td>100%</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) the following applies:</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>(i) a minimum rate of 2.0 for each 100 square metres of gross floor area;</td>
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<td></td>
<td>(ii) a maximum rate of 3.5 for each 100 square metres of gross floor area;</td>
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<td></td>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies:</td>
<td></td>
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<tr>
<td></td>
<td>(i) a minimum rate of 2.0 for each 100 square metres of gross floor area;</td>
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<td></td>
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<tr>
<td></td>
<td>(ii) a maximum rate of 4.5 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(C) in all other areas of the City, at a minimum rate of 4.0 for each 100 square metres of gross floor area.</td>
<td></td>
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</tr>
<tr>
<td><strong>Fire Hall</strong></td>
<td>Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Funeral Home</strong></td>
<td>Parking spaces must be provided:</td>
<td>20%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) and Policy Area 2 (PA2):</td>
<td></td>
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<tr>
<td></td>
<td>(i) at a minimum rate of 1.0 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(ii) at a maximum rate of 4.0 for each 100 square metres of gross floor area;</td>
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<td></td>
<td>(C) in Policy Area 3 (PA3):</td>
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<tr>
<td></td>
<td>(i) at a minimum rate of 2.0 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(ii) at a maximum rate of 5.0 for each 100 square metres of gross floor area;</td>
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<td></td>
<td>(D) in Policy Area 4 (PA4):</td>
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<tr>
<td></td>
<td>(i) at a minimum rate of 3.0 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(ii) at a maximum rate of 6.0 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(E) in all other areas of the City at a minimum rate of 6.0 for each 100 square metres of gross floor area.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Gaming Establishment</strong></td>
<td>Parking spaces must be provided at a minimum rate of 25.0 for each 100 square metres of gross floor area.</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td><strong>Golf Course</strong></td>
<td>The minimum number of parking space to be provided is the greater of:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) 24; and</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(B) 3.5 for each 100 square metres of gross floor area of all buildings.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
AM = 6 a.m. to Noon.  
PM = Noon to 6 p.m.  
Eve = 6 p.m. to 6 a.m.

<table>
<thead>
<tr>
<th>Land Use</th>
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<th>Eve</th>
</tr>
</thead>
</table>
| 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% |
| Hospice Care 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% |
| Industrial Sales and Service | Parking spaces must be provided at the same rate as a retail store. | 100% | 100% | 0%  |
| 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%  |
<p>| Kennel                    | Parking spaces must be provided at a minimum of 1 for each 100 square metres of pen area for animals. | 100% | 100% | 0%  |
| Laboratory                | Parking spaces must be provided at the same rate as office. | 100% | 60%  | 0%  |</p>
<table>
<thead>
<tr>
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<th>AM</th>
<th>PM</th>
<th>Eve</th>
</tr>
</thead>
<tbody>
<tr>
<td>Library</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(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</td>
<td></td>
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<tr>
<td></td>
<td>(B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area.</td>
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</tr>
<tr>
<td>Manufacturing Uses</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
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<tr>
<td></td>
<td>(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</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>(B) in all other areas of the City, at a minimum rate of 1.0 for each 100 square metres of gross floor area.</td>
<td></td>
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<tr>
<td>Medical Office</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>50%</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) the following applies:</td>
<td></td>
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<td></td>
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<tr>
<td></td>
<td>(i) a minimum rate of 0.3 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) a maximum rate of 3.0 for each 100 square metres of gross floor area; and</td>
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<tr>
<td></td>
<td>(B) in Policy Area 2 (PA2):</td>
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</tr>
<tr>
<td></td>
<td>(i) a minimum rate of 1.0 for each 100 square metres of gross floor area;</td>
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<tr>
<td></td>
<td>(ii) a maximum rate of 3.5 for each 100 square metres of gross floor area; and</td>
<td></td>
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<tr>
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<td>(C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies:</td>
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<tr>
<td></td>
<td>(i) a minimum rate of 1.5 for each 100 square metres of gross floor area;</td>
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<td></td>
<td></td>
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<tr>
<td></td>
<td>(ii) a maximum rate of 6.0 for each 100 square metres of gross floor area; and</td>
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<td></td>
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<tr>
<td></td>
<td>(D) in all other areas of the City, at a minimum rate of 3.0 for each 100 square metres of gross floor area.</td>
<td></td>
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</tr>
<tr>
<td>Museum</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(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</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area.</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Nightclub</td>
<td>Parking spaces must be provided at the minimum rate of:</td>
<td>20%</td>
<td>50%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(A) 3.0 for each 100 square metres for gross floor area in Policy Area 1 (PA1);</td>
<td></td>
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<tr>
<td></td>
<td>(B) 4.5 for each 100 square metres for gross floor area in Policy Area 2 (PA2);</td>
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<tr>
<td></td>
<td>(C) 5.5 for each 100 square metres for gross floor area in Policy Area 3 (PA3) and Policy Area 4 (PA4); and</td>
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<td></td>
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</tr>
<tr>
<td></td>
<td>(D) 7.0 for each 100 square metres for gross floor area in all other areas of the City.</td>
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<td></td>
</tr>
<tr>
<td>Nursing Home, Retirement Home (such as: Home for the Aged and Convalescent Home)</td>
<td>Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

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<th>Eve</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office (excluding Medical office)</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>60%</td>
<td>0%</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) the following applies:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) a minimum rate of 0.35 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) a maximum rate of 0.8 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(B) in Policy Area 2 (PA2) :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) a minimum rate of 1.0 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) a maximum rate 1.4 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) a minimum rate of 1.0 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) a maximum rate of 2.0 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(D) in all other areas of the City, at a minimum rate of 1.5 for each</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>100 square metres of gross floor area.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Park</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(A) for a building containing a recreation use and located in the OR zone:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) at a minimum 0.25 for each 100 square metres of gross floor area if it</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>is located in Policy Areas 1 through 4; and</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>(ii) at a minimum rate of 1.0 for each 100 square metres of gross floor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>area if not located in Policy Areas 1 through 4.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(B) for an arena located in the OR zone at a minimum rate of 3.0 for each</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>100 square metres of gross floor area.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Performing Arts Studio</td>
<td>Parking spaces must be provided:</td>
<td>10%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), and Policy Area 3 (PA3)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>and Policy Area 4 (PA4);</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) at a minimum rate of 0.5 for each 100 square metres of gross floor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>area; and</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>(ii) at a maximum rate of 1.3 for each 100 square metres of gross floor</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>area; and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(B) in all other areas of the City, at a minimum rate of 3.0 for each</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>100 square metres of gross floor area.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personal Service Shop</td>
<td>Parking spaces must be provided if the gross floor area used for a</td>
<td>20%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>personal service shop is greater than 200 square metres:</td>
<td></td>
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</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) minimum rate of 1.0 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) maximum rate of 3.5 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>a:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) minimum rate of 1.0 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) maximum rate of 4.0 for each 100 square metres of gross floor area;</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(C) in all other areas of the City at a minimum rate of 1.5 for each</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>100 square metres of gross floor area; and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(D) if the gross floor area is 200 square metres or less, no parking</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>space is required.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pet Services</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
<td>20%</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

AM = 6 a.m. to Noon. PM = Noon to 6 p.m. Eve = 6 p.m. to 6 a.m.
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Parking spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Place of Assembly (premises used for social, cultural, educational or trade events, such as a banquet hall or a convention or trade centre)</td>
<td>(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.</td>
</tr>
<tr>
<td>Place of Worship</td>
<td>(A) if there is permanent or fixed seating in a Place of Worship then:</td>
</tr>
<tr>
<td></td>
<td>(i) if located in Policy Area 1 (PA1):</td>
</tr>
<tr>
<td></td>
<td>(a) a minimum rate of 9.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(b) a maximum rate of 18.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(ii) if located in Policy Area 2 (PA2):</td>
</tr>
<tr>
<td></td>
<td>(a) a minimum rate of 15.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(b) a maximum rate of 23.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(iii) if located in Policy Area 3 (PA3) or Policy Area 4 (PA4):</td>
</tr>
<tr>
<td></td>
<td>(a) a minimum rate of 18.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(b) a maximum rate of 29.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(iv) at a minimum rate of 23.0 for each 100 square metres of worship area if located in any other area of the City;</td>
</tr>
<tr>
<td></td>
<td>(B) if there is no seating or variable seating in a Place of Worship then:</td>
</tr>
<tr>
<td></td>
<td>(i) if located in Policy Area 1 (PA1):</td>
</tr>
<tr>
<td></td>
<td>(a) a minimum rate of 13.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(b) a maximum rate of 26.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(ii) if located in Policy Area 2 (PA2):</td>
</tr>
<tr>
<td></td>
<td>(a) a minimum rate of 22.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(b) a maximum rate of 34.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(iii) if located in Policy Area 3 and Policy Area 4 (PA4):</td>
</tr>
<tr>
<td></td>
<td>(a) a minimum rate of 26.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(b) a maximum rate of 43.0 for each 100 square metres of worship area; and</td>
</tr>
<tr>
<td></td>
<td>(iv) at a minimum rate of 34.0 for each 100 square metres of worship area if located in any other area of the City; or</td>
</tr>
<tr>
<td></td>
<td>(C) the minimum parking rate for any ancillary uses in the place of worship building or on the lot.</td>
</tr>
<tr>
<td>Police Station</td>
<td>Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Land Use</td>
<td>Parking spaces must be provided at a minimum rate of:</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Post Secondary School (College and University)</td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3), 0.1 for each 100 square metres of <em>gross floor area</em>; (B) in Policy Area 4 (PA4), 1.0 for each 100 square metres of <em>gross floor area</em>; and (C) in all other areas of the City, 2.0 for each 100 square metres of <em>gross floor area</em>.</td>
</tr>
<tr>
<td>Production Studio</td>
<td>(A) in Policy Area 1 (PA1) the following applies: (i) a minimum rate of 0.35 for each 100 square metres of <em>gross floor area</em>; and (B) in Policy Area 2 (PA2) : (i) a minimum rate of 1.0 for each 100 square metres of <em>gross floor area</em>; 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 <em>gross floor area</em>; and (D) in all other areas of the City, at a minimum rate of 1.5 for each 100 square metres of <em>gross floor area</em>.</td>
</tr>
<tr>
<td>Public Schools, Private Schools</td>
<td>(A) in Policy Area 1 (PA1), (i) at a minimum rate of 0.15 for each 100 square metres of <em>gross floor area</em>; and (ii) at a maximum rate of 0.3 for each 100 square metres of <em>gross floor area</em>; and (B) in Policy Area 2 (PA2) and Policy Area 3 (PA3) (i) at a minimum rate of 0.5 for each 100 square metres of <em>gross floor area</em>; and (ii) at a maximum rate of 1.0 for each 100 square metres of <em>gross floor area</em>; and (C) in Policy Area 4 (PA4), (i) at a minimum rate of 1.0 for each 100 square metres of <em>gross floor area</em>; and (ii) at a maximum rate of 2.0 for each 100 square metres of <em>gross floor area</em>; and (D) in all other areas of the City, at a minimum rate of 1.5 for each 100 square metres of <em>gross floor area</em>.</td>
</tr>
<tr>
<td>Railway Service and Repair Yard; Railway Station</td>
<td>Parking spaces must be provided at a minimum rate of 0.1 per 100 square metres of <em>gross floor area</em>.</td>
</tr>
<tr>
<td>Recreation Use</td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), and Policy Area 3 (PA3) and Policy Area 4 (PA4); (i) at a minimum rate of 0.5 for each 100 square metres of <em>gross floor area</em>; and (ii) at a maximum rate of 1.3 for each 100 square metres of <em>gross floor area</em>; and (B) in all other areas of the City, at a minimum rate of 3.0 for each 100 square metres of <em>gross floor area</em>.</td>
</tr>
<tr>
<td>Land Use</td>
<td>Parking spaces must be provided:</td>
</tr>
<tr>
<td>--------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Religious Education Use</td>
<td>(A) in Policy Area 1 (PA1), (i) at a minimum rate of 0.15 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td></td>
<td>(ii) at a maximum rate of 0.3 for each 100 square metres of gross floor area; and (B) in Policy Area 2 (PA2) and</td>
</tr>
<tr>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>maximum rate of 1.0 for each 100 square metres of gross floor area; and (C) in Policy Area 4 (PA4), (i) at a</td>
</tr>
<tr>
<td></td>
<td>minimum rate of 1.0 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 2.0 for each</td>
</tr>
<tr>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Religious Residence</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 for each 10 bed sitting rooms or dwelling units.</td>
</tr>
<tr>
<td>Respite Care Facility</td>
<td>Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room</td>
</tr>
<tr>
<td>Retail Store</td>
<td>Parking spaces must be provided:</td>
</tr>
<tr>
<td></td>
<td>(A) if the gross floor area is more than 200 square metres:</td>
</tr>
<tr>
<td></td>
<td>(i) in Policy Area 1 (PA1) at:</td>
</tr>
<tr>
<td></td>
<td>(a) minimum of 1.0 for each 100 square metres of gross floor area;</td>
</tr>
<tr>
<td></td>
<td>(b) maximum of 3.5 for each 100 square metres of gross floor area;</td>
</tr>
<tr>
<td></td>
<td>(ii) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at:</td>
</tr>
<tr>
<td></td>
<td>(a) minimum of 1.0 for each 100 square metres of gross floor area;</td>
</tr>
<tr>
<td></td>
<td>(b) maximum of 4.0 for each 100 square metres of gross floor area;</td>
</tr>
<tr>
<td></td>
<td>(iii) in all other areas of the City:</td>
</tr>
<tr>
<td></td>
<td>(a) if the gross floor area used for a retail store in a building is more than 200 square metres and less than</td>
</tr>
<tr>
<td></td>
<td>10,000 square metres, at a minimum rate of 1.5 for each 100 square metres of gross floor area; and (b) if the</td>
</tr>
<tr>
<td></td>
<td>gross floor area used for a retail store in a building is 10,000 square metres or more but less than 20,000</td>
</tr>
<tr>
<td></td>
<td>square metres, at a minimum rate of 3.0 for each 100 square metres of gross floor area; and (c) if the gross</td>
</tr>
<tr>
<td></td>
<td>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</td>
</tr>
<tr>
<td></td>
<td>each 100 square metres of gross floor area; and (B) if the gross floor area is 200 square metres or less, no</td>
</tr>
<tr>
<td></td>
<td>parking space is required.</td>
</tr>
<tr>
<td>Retail Service</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
</tr>
<tr>
<td>Secondary Suite</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 per secondary suite.</td>
</tr>
<tr>
<td>Seniors Community House</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 per building.</td>
</tr>
<tr>
<td>Land Use</td>
<td>Parking Rate</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| Service Shop                     | Parking spaces must be provided:                                                                      | 100%| 100%|100%
|                                  | (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.                 |    |    |     |
| Software Development and Processing | Parking spaces must be provided at the same rate as an office                                         | 100%| 100%|10%
| Vehicle Dealership, Vehicle Rental/Leasing | Parking spaces must be provided:                                                                      | 100%| 100%|100%
|                                  | (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%|50%
| Vehicle Depot, Cartage, Express or Truck Transport Yard or Terminal | Parking spaces must be provided:                                                                      | 100%| 100%|100%
|                                  | (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. |    |    |     |
| Vehicle Fuel Station;            | Parking spaces must be provided:                                                                      | 100%| 100%|100%
|                                  | (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; and |    |    |     |
|                                  | (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. |    |    |     |
| 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%
| Veterinary Hospital              | Parking spaces must be provided:                                                                      | 100%| 100%|100%
|                                  | (A) in Policy Area 1 (PA1) at a minimum rate of 0.4 for each 100 square metres of gross floor area ant at a maximum rate of 0.8 for each 100 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.      |    |    |     |
| 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%
<table>
<thead>
<tr>
<th>Land Use</th>
<th>Parking Rate</th>
<th>AM</th>
<th>PM</th>
<th>Eve</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warehouse</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>(A) for an industrial warehouse at a minimum rate of:</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>(i) 1.0 for each 100 square metres of gross floor area up to 2750 square metres; plus</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(ii) 0.5 for each 100 square metres of gross floor area in excess of 2750 square metres.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehouse, Self Storage</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>50%</td>
</tr>
<tr>
<td></td>
<td>(A) for a self storage warehouse at a minimum rate of 0.6 for each 100 square metres of gross floor area.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wholesaling Use</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
<td>100%</td>
<td>100%</td>
<td>50%</td>
</tr>
</tbody>
</table>

(2) Provision of Parking Spaces

Parking spaces provided for each use must not be:

(A) less than the minimum required; or

(B) greater than the maximum permitted.

(3) Parking Space Rate Ancillary Uses

An ancillary use has the same parking space rate as the use to which it is ancillary.

(4) Parking Space Permission for Uses with No Parking Requirement

If a use is not required to provide parking spaces by this By-law, parking spaces may be provided for that use if:

(A) the use is listed on Table 200.5.10.10;

(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; and

(ii) greater than the maximum permitted or all uses on the lot by Table 200.5.10.10.

(5) Parking Space Rates - Multiple Uses on a Lot

If there are multiple uses on a lot, the respective parking space rate for each use on the lot applies and the total number of required parking spaces is the cumulative total for all uses.

(6) Shared Parking Space Calculation (Minimum)

In Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4), the minimum number of parking spaces required for a lot is determined as follows:

(A) for each of the morning, afternoon and evening parking periods Table 200.5.10.10, the minimum number of parking spaces required for each use, is calculated using the respective parking space rate and occupancy rate;

(B) the minimum number of parking spaces required for each parking period is the total of the parking spaces required for all uses during that parking period; and

(C) the minimum number of parking spaces required for the lot is equal to the largest number of parking spaces required for any parking period.

(7) Interpretation of minimum and maximum parking space requirement

If Table 200.5.10.10 has the minimum and maximum number of parking spaces for a use, the number of parking spaces for a use listed on the Table must:

(A) not be less than the minimum required; and

(B) not exceed the maximum permitted.

(8) Assisted Housing Parking Rates

For the purposes of calculating parking space requirements, assisted housing means a dwelling unit.
operated by a non-profit or private sector organization in cooperation with the City of Toronto.

(9) Alternative Housing Parking Rates
For the purpose of calculating parking space requirements, alternative housing means a dwelling unit or bed-sitting room owned and operated by or on behalf of the City of Toronto, or by a non-profit agency in cooperation with the City of Toronto or private sector organization in cooperation with the City of Toronto.

(10) Policy Area 1 (PA1) Parking Space Reduction for Bicycle Parking Spaces
In Policy Area 1 (PA1) the total minimum number of vehicle parking spaces required on a lot may be reduced at a rate of 1 vehicle parking space for each 5 bicycle parking spaces provided in excess of the minimum number of bicycle parking spaces required by Chapter 230 if the reduction of vehicle parking space is not greater than 20% of the total minimum vehicle parking spaces required.

(11) Parking Space Deficiency - addition, enlargement or alteration
If an addition or expansion is made to a lawfully existing building that has a lawful number of parking spaces that are less than required by this By-law,
(A) the total number of lawfully existing parking spaces on the lot must be retained; and
(B) additional parking spaces required by the addition or enlargement must be provided at the rate required by this By-law or authorized by a Section 45 Planning Act minor variance.

(12) Parking Space Deficiency - Change of Use
If the number of lawfully existing parking spaces on a lot is less than the minimum number of parking spaces required by this By-law, a use may be changed to another use permitted in the zone, if:
(A) the total number of lawfully existing parking spaces on the lot is not decreased and any additional parking spaces required can be accommodated on the lot; or
(B) the number of parking space provided is authorized by a Section 45 Planning Act minor variance.

200.5.200 Parking Exemptions

200.5.200.1 General

(1) Parking Space Requirement
Despite the requirements of regulation 200.5.10.1 (1), if:
(A) a lawfully existing public school or lawfully existing private school, is located in a Residential Zone category, Residential Apartment Zone category, Commercial Zone Category, Commercial Residential Employment Zone category or Institutional Education Zone, and if the number of lawfully existing parking spaces is less than the number of parking spaces required by this By-law, the minimum number of parking spaces required for the lawfully existing public school or lawfully existing private school is the number of lawfully existing parking spaces; and
(B) an addition or expansion is made to a building referred to in (A), parking spaces for any addition or expansion must be provided in accordance with regulation 200.5.10.1(1).

(2) Existing Required Parking Space Located Off-Site
If the required parking spaces for lawful uses in a lawfully existing building are lawfully located on a lot that is not the same lot as the use for which the parking spaces are required:
(A) those lawful parking spaces may continue to be provided on another lot for that lawfully existing building; and
(B) any addition or expansion to that building must comply with the parking requirements in this By-law or be authorized by a Section 45 Planning Act minor variance.

200.5.200.40 Commercial Residential Zone Category

(1) Parking Rates for Common Areas and Walkways in Commercial Malls
In the Commercial Residential Zone category internal common areas and walkways located on the first floor of an enclosed commercial retail mall are required to provide parking spaces as follows:
(A) if the interior floor area of internal common areas and walkways on the first floor services retail stores and any other use; then the parking space requirement for retail stores applies to the interior floor area of the common areas and walkways; and

(B) if the interior floor area of internal common areas and walkways on the first floor services only one use; the parking space requirement for that use applies to the interior floor area of the common areas and walkways.

(2) Parking Rates for Public Common Areas and Walkways in Office Buildings

In the Commercial Residential Zone category internal common areas and walkways located on the first floor in an office building are required to provide parking spaces as follows:

(A) if the total interior floor area of all non-office uses on the first floor is greater than the total interior floor area of all office uses on the first floor, then the parking space requirement for the non-office use applies to the common areas and walkways; and

(B) if the total interior floor area of all office uses on the first floor is greater than the total interior floor area of all non-office uses on the first floor, then the parking space requirement for an office use applies to the common areas and walkways.

(3) Bachelor Unit Size for Parking Space Calculation

In calculating parking space requirements for bachelor dwelling units:

(A) the bachelor dwelling unit parking rate applies if the bachelor dwelling unit has an interior floor area of 45 square metres or less; and

(B) the one bedroom parking rate applies if the bachelor dwelling unit has an interior floor area greater than 45 square metres

(4) Parking Space Requirements for Change of Non-residential Use

If a lot in the CR zone subject to Development Standard Set 2 (SS2) has a building erected pursuant to a building permit issued on or before March 1, 1994, and the building covers a minimum of 75% of the lot area, for a change of non-residential uses in that building:

(A) no additional parking spaces are required for a non-residential use with a higher parking requirement; and

(B) the number of parking spaces existing on the lot on March 1, 1994 must not be reduced for a non-residential use with a lower parking requirement;

(5) Policy Area Parking Space Exemption Certain Uses

In Policy Area 1, no parking spaces are required for the following uses, provided that the gross floor area of the building minus the gross floor area used for dwelling units, does not exceed 1.0 time the area of the lot:

(A) Artist Studio;
(B) Custom Workshop;
(C) Financial Institution;
(D) Funeral Home;
(E) Office
(F) Performing Arts Studio;
(G) Personal Service Shop;
(H) Pet Services;
(I) Retail Service;
(J) Retail Store; and
(K) Service Shop.

200.5.200.50 Commercial Residential Employment Zone Category

(1) CRE Zone Exemption for Existing Parking Spaces

In a CRE zone, the parking space requirement for a building that was lawfully erected on or before January 1, 1997, is the lesser of the number of parking spaces that:
(A) were on the lot on January 1, 1997;
(B) were required by a building permit issued on or before January 1, 1997; or
(C) are required in this By-law.

200.5.200.60 Employment Industrial Zone Category

(1) Parking Space Requirements – Existing Building Deficiency
   In the Employment Industrial Zone category, if the number of lawfully existing parking spaces for a
   lawfully existing building is less than the number of parking spaces required by this By-law, the
   number of parking spaces lawfully existing is the minimum number of parking spaces required for that
   building.

(2) Parking Space Requirement – Building Addition
   In the Employment Industrial Zone category, an addition, expansion or alteration to a lawfully existing
   building that increases the gross floor area, must provide parking spaces in compliance with the
   requirements of this By-law.

(3) Parking Space Requirements – Change of Use
   In the Employment Industrial Zone Category, if there is a change in use in a lawfully existing building
   referred to in regulation 200.5.200.60(1), the number of lawfully existing parking spaces must not be
   reduced.

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 space must be clearly identified.

(2) Visitor Parking Space - Marking
   All visitor parking spaces must be clearly identified and marked.

(3) Visitor Parking Space Dimensions
   The dimensions 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 Dimensions (Minimum)
   An accessible parking space must have the following minimum dimensions:
   (A) length of 5.6 metres;
   (B) width of 3.9 metres; and
   (C) vertical clearance of 2.1 metres.

200.15.1.5 Interpretation

(1) 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
Clearly identified off-street accessible parking spaces must be provided on the same lot as every building or structure erected or enlarged, if the total parking space requirement is 5 or more, in compliance with the following:

(A) if the number of required parking spaces is 5 to 24, a minimum of 1 parking space must comply with the minimum dimensions for an accessible parking space;

(B) if the number of required parking spaces is 25 to 100, a minimum of 1 parking space for each 25 parking spaces or part thereof must comply with the minimum dimensions for an accessible parking space; and

(C) if the number of required parking spaces is more than 100, a minimum of 4 parking spaces plus 1 parking space for each 50 parking spaces or part thereof in excess of 100 parking spaces, must comply with the minimum dimensions for an accessible parking space.

(2) Accessible Parking Space Requirement Medical Office and Clinics
A minimum of 10% of the required parking spaces for a medical office must 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, is the lesser of the requirements of Chapter 200, and the number of parking spaces existing on July 20, 1993.

(2) Parking Space Requirements for Additions or Alterations to Heritage Sites Designated Under the Ontario Heritage Act
If gross floor area is added through an addition, alteration or extension or if the existing floor area is replaced, parking spaces must be provided in compliance with the requirements of this By-law or be authorized by a Section 45 Planning Act minor variance.
Chapter 220 Loading Space Regulations

220.5 Regulations applying to Loading Spaces

220.5.1 General

(1) Application of This Section
The regulations contained in Section 220.5 apply to all loading spaces.

(2) Requirement to Provide Loading Spaces
A loading space must be provided and maintained for each use on a lot, in compliance with the regulations in Chapter 220.

220.5.1.10 Interpretation

(1) Loading Space Requirement Calculation
The calculation of loading spaces must include the total gross floor area used by the permitted use plus the total gross floor area used by all uses ancillary to the permitted use.

The calculation of required loading spaces is based on the total gross floor area of on the lot.

(2) Loading Space Calculation for Multi-unit Buildings
If a lot in the 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 required loading spaces in Chapter 220, an “industrial unit”, means the portion of a building, used by or under the control of an individual owner or tenant.

(4) Loading Space Calculation - Gross Floor Area Exclusion
The interior floor area of a building that is used exclusively for heating, cooling, ventilation, electrical, emergency stairwells, elevator shafts, atriums, storage in a basement, parking space, loading space, or a drive aisle used to access a parking space or loading space, is not included as gross floor area for the purpose of calculating loading space requirements.

(5) Required Loading Space
If one or more off-street loading spaces is required to be provided on a lot, that loading space must be available for the loading of a vehicle associated with the use for which it is required.

(6) Loading Space Demarcation
Loading spaces located within a building must be clearly marked and identified.

(7) 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 (8), the loading space must have a minimum vertical clearance of 4.4 metres.

(8) Loading Space Standards
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 4.4 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.

220.5.10 Loading Space Rates

220.5.10.1 General

(1) Loading Space Requirements
Loading spaces must be provided in compliance with regulations 220.5.10.1(2) - (9).

(2) Loading Space Requirements - Building Containing Dwelling Units
A building containing dwelling units must provide loading spaces as follows:

<table>
<thead>
<tr>
<th>Number of Units</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 30 dwelling units</td>
<td>None required</td>
</tr>
<tr>
<td>31 to 399 dwelling units</td>
<td>1 - Type G</td>
</tr>
<tr>
<td>400 dwelling units or more</td>
<td>1 - Type G and 1 - Type C</td>
</tr>
</tbody>
</table>

(3) Loading Space Requirements - Retail Store, Eating Establishment, or Personal Service Shop
A retail store, eating establishment, or personal service shop must provide loading spaces as follows:

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 499 m²</td>
<td>None required</td>
</tr>
<tr>
<td>500 to 1,999 m²</td>
<td>1 Type B</td>
</tr>
<tr>
<td>2,000 to 4,999 m²</td>
<td>2 Type B</td>
</tr>
<tr>
<td>5,000 to 9,999 m²</td>
<td>3 Type B</td>
</tr>
<tr>
<td>10,000 to 19,999 m²</td>
<td>1 Type A and 3 Type B</td>
</tr>
<tr>
<td>20,000 to 29,999 m²</td>
<td>1 Type A, 3 Type B and 1 Type C</td>
</tr>
<tr>
<td>30,000 m² or greater</td>
<td>1 Type A, 3 Type B and 1 Type C</td>
</tr>
</tbody>
</table>

(4) Loading Space Requirements - Grocery stores/supermarket
A grocery stores/supermarket must provide loading spaces as follows:

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 499 m²</td>
<td>None required</td>
</tr>
<tr>
<td>500 to 999 m²</td>
<td>1 Type B</td>
</tr>
<tr>
<td>1,000 to 1,999 m²</td>
<td>1 Type A</td>
</tr>
<tr>
<td>2,000 to 4,999 m²</td>
<td>1 Type A and 1 Type B</td>
</tr>
<tr>
<td>5,000 to 9,999 m²</td>
<td>1 Type A and 2 Type B</td>
</tr>
<tr>
<td>10,000 to 19,999 m²</td>
<td>2 Type A and 2 Type B</td>
</tr>
<tr>
<td>20,000 m² and greater</td>
<td>2 Type A and 3 Type B</td>
</tr>
</tbody>
</table>

(5) Loading Space Requirements - Office
An office must provide loading spaces as follows:
### Gross Floor Area vs. Minimum Number of Loading Spaces

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 499 m²</td>
<td>None required</td>
</tr>
<tr>
<td>500 to 999 m²</td>
<td>1 Type B</td>
</tr>
<tr>
<td>1,000 to 1,999 m²</td>
<td>1 Type B and 1 Type C</td>
</tr>
<tr>
<td>2,000 to 3,999 m²</td>
<td>1 Type B and 2 Type C</td>
</tr>
<tr>
<td>4,000 to 7,999 m²</td>
<td>2 Type B and 2 Type C</td>
</tr>
<tr>
<td>8,000 to 11,999 m²</td>
<td>2 Type B and 3 Type C</td>
</tr>
<tr>
<td>12,000 m² or greater</td>
<td>A minimum of 2 Type B and 3 Type C</td>
</tr>
</tbody>
</table>

(6) **Loading Space Requirements - Hotel**

A hotel must provide loading spaces as follows:

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 4,999 m²</td>
<td>1 Type B</td>
</tr>
<tr>
<td>5,000 to 9,999 m²</td>
<td>1 Type B and 1 Type C</td>
</tr>
<tr>
<td>10,000 to 19,999 m²</td>
<td>2 Type B and 1 Type C</td>
</tr>
<tr>
<td>20,000 to 49,999 m²</td>
<td>2 Type B and 2 Type C</td>
</tr>
<tr>
<td>50,000 m² or greater</td>
<td>A minimum of 1 Type A, 1 Type B and 2 Type C</td>
</tr>
</tbody>
</table>

(7) **Loading Space Requirements - Manufacturing or Warehouse Use**

A manufacturing or warehouse use must provide loading spaces as follows:

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 99 m²</td>
<td>None</td>
</tr>
<tr>
<td>100 to 499 m²</td>
<td>1 Type C</td>
</tr>
<tr>
<td>500 to 999 m²</td>
<td>1 Type B</td>
</tr>
<tr>
<td>1,000 to 4,999 m²</td>
<td>1 Type A</td>
</tr>
<tr>
<td>5,000 to 9,999 m²</td>
<td>2 Type A</td>
</tr>
<tr>
<td>10,000 to 14,999 m²</td>
<td>3 Type A</td>
</tr>
<tr>
<td>15,000 m² or greater</td>
<td>a minimum of 3 Type A</td>
</tr>
</tbody>
</table>

(8) **Loading Space Requirements - Other Select Uses**

The owner or occupant of every building or structure to be erected or used for the purpose of a passenger terminal, hospital or any other purpose similarly involving the frequent shipping, loading or unloading of persons, animals or goods, wares or merchandise, must provide and maintain on the premises loading facilities, according to the gross floor area of the building 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;
(A) (G) Gross Floor Area: Over 30000 square metres.
Minimum of 1 additional loading space for each additional 9300 square metres over 30000 square metres

(9) Shared Loading Space Calculations
If a building located in Policy Area 1 (PA1) or Policy Area 2 (PA2) contains two or more of the following uses; Office, Retail Store, Eating Establishment, Personal Service Shop, or Hotel, the loading space requirement for that building is the total of (A) and (B) below:

(A) the minimum number of Type ‘B’ loading spaces to be provided in the building is the highest number of Type ‘B’ loading spaces generated for any one of these uses plus the Type ‘B’ loading spaces required for all other non-residential uses in the same building and not listed above; plus

(B) the minimum number of Type ‘C’ loading spaces to be provided in the building is the highest number of Type ‘C’ loading spaces generated for any one of these uses plus the Type ‘C’ loading spaces required for all other non-residential uses in the same building and not listed above.

220.5.10.200 Exemptions

(1) Loading Space Exemption Non-Residential
If a non-residential change of use is proposed for any portion of a lawfully existing building, the non-residential loading requirements of this By-law do not require more loading spaces if:

(A) the lawfully existing loading spaces on the lot are maintained; and

(B) the ground floor area of the building covers at least 75% of the lot area.

(2) Loading Space Exemption
If a building has less than 30 dwelling units and is located on a lot having a lot area of less than 1,000 square metres, no type G loading space is required.

(4) Loading Space Options
If an apartment building has 400 dwelling units or more, the requirement for a Type ‘C’ loading space may be satisfied by the provision of a Type ‘A’ loading space, a Type ‘B’ loading space, or a second Type ‘G’ loading space, as described in regulation 220.5.10.10 (8).

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) 4.4 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:

(A) 8% if it is a Type "G" loading space; and

(B) 15% in all other cases.

(3) Vehicle Access to Building with Loading Space
If a loading space is located inside a building:

(A) the vehicle entrance and exit for a two-way driveway into and out of the building must have a
minimum width of 5.5 metres; and
(B) the vehicle entrance or exit for a one-way driveway into or out of the building must have a minimum width of 3.5 metres, if the vehicle entrance or exit is 6.0 metres or more away from the street lot line.

220.5.200 Loading Exemptions

220.5.200.40 Commercial Residential Zone Category

(1) Loading Space Exemption- SS2 Area
If a lot in a CR zone is subject to Development Standard Set 2 (SS2), the loading space requirements for any non-residential uses do not apply if the lot has a lot area of less than 1,000 square metres.

220.5.200.50 Commercial Residential Employment Zone Category

(1) Exemption for Existing Loading Spaces
In 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.

220.5.200.60 Employment Industrial Zone Category

(1) Loading Space Requirements – Existing Building Deficiency
In the Employment Industrial Zone category, if the number of lawfully existing loading spaces for a lawfully existing building is less than the loading spaces required by this By-law, the number of lawfully existing loading spaces on the lot is the minimum number of loading spaces required for that lawfully existing building.

(2) Loading Space Requirement – Building Addition
In the Employment Industrial Zone category, an addition, or alteration to a lawfully existing building that results in an increase in gross floor area, must provide loading spaces in compliance with this By-law.

(3) Loading Space Requirements – Change of Use
In the Employment Industrial Zone Category, if there is a change in use in a lawfully existing building, regulated by 220.5.200.60(1), the number of loading spaces must not be reduced.

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 or the number of spaces existing on 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 compliance with this By-law for that additional floor area.

(3) CRE Zone - Heritage Site - Supplementary Loading Requirements for Heritage Sites
In a CRE zone, regulations 220.20.1(1) and (2) also apply to a listed Heritage Site that is not designated under the Ontario Heritage Act, as amended.
Chapter 230 Bicycle Parking Space Regulations

230.5 General Regulations applying to All Bicycle Parking Spaces

230.5.1 General

230.5.1.10 Interpretation

(1) Application of This Section

The regulations 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 for all uses results in a fraction of a bicycle parking space being required, the number of required bicycle parking spaces must be rounded up to the next whole number.

(3) Meaning of Long-Term Bicycle Parking and Short-Term Bicycle Parking

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 Spaces are bicycle parking spaces for use by the occupants or tenants of a building; and

(B) Short-Term Bicycle Parking Spaces are bicycle parking spaces for use by visitors to a building.

(4) Bicycle Parking Space Dimensions

A bicycle parking space must have the following dimensions:

(A) if located in a horizontal position (on the ground):

(i) minimum length of 1.8 metres,

(ii) minimum width of 0.6 metres,

(iii) minimum vertical clearance from the ground of 1.9 metres;

(B) if located in a vertical position on the wall, structure or mechanical device:

(i) minimum length or vertical clearance of 1.9 metres,

(ii) minimum width of 0.6 metres,

(iii) minimum horizontal clearance from the wall of 1.2 metres; and

(C) if a stacked bicycle space is provided, the minimum vertical clearance for each bicycle parking space is 1.2 metres.

(5) Vertical Clearance of a Bicycle Parking Area

An area used to provide bicycle parking spaces must have a minimum vertical clearance of:

(A) 2.4 metres if it is a stacked bicycle parking space; and

(B) 1.9 metres in all other cases.

(6) Long-Term Bicycle Parking Space Locational Requirement

Long-Term bicycle parking spaces must be located in a building.

(7) Change and Shower Facilities

If a building contains uses, other than dwelling units, for which a Long-Term bicycle parking space is required, shower and change facilities must be provided for each gender at the following rate:

(A) none if less than 5 required Long-Term bicycle parking spaces;

(B) 1 for 5 to 60 required Long-Term bicycle parking spaces;

(C) 2 for 61 to 120 required Long-Term bicycle parking spaces;

(D) 3 for 121 to 180 required Long-Term bicycle parking spaces; and
(E) 4 for more than 180 required Long-Term bicycle parking spaces.

(8) Bicycle Parking Space Located with Use

A bicycle parking space must be located on the same lot as the use for which it is required.

(9) Long Term Bicycle Parking Space Location

Long Term Bicycle Parking Space Location

If a lot is located in:

(A) the Commercial Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category, Institutional Zone category or Employment Zone category then a long-term bicycle parking space required for uses other than dwelling units must be located:
   (i) on the ground floor of the building; or
   (ii) on the first floor of the building below grade used for vehicular parking spaces; or
   (iii) on other floors of the building below grade, if at least 50% of the required parking spaces is located on the first floor below grade or at grade; and

(B) the Residential zone category, Apartment Zone Category, Commercial Residential Zone category, Commercial Residential Employment Zone category, then a long-term bicycle parking space required for a dwelling unit in an apartment building or mixed-use building must be located:
   (i) on the ground floor of the building;
   (ii) on the first floor of the building below grade used for vehicular parking spaces; or
   (iii) on the other floors of the building below grade, if at least 50% of the required parking spaces is located on the first floor below grade or at grade.

(10) Stacked Bicycle Parking Spaces

A long-term bicycle parking space may be located in a stacked bicycle parking space.

(11) Bicycle Parking Space Deficiency - Change of Use

If the number of bicycle parking spaces lawfully existing on a lot on the date of the enactment of this By-law is less than the minimum number of bicycle parking spaces required by this By-law, a use may be changed to another use permitted in the zone, if the total number of bicycle parking spaces on the lot is not decreased and any additional bicycle parking spaces required can be accommodated on the lot.

(12) Bicycle Parking Space Deficiency - Addition, Enlargement or Alteration

If the number of bicycle parking spaces existing on a lot on the date of the enactment of this By-law is less than the minimum number of bicycle parking spaces required by this By-law and an addition, enlargement or alteration to the building is made that increases the gross floor area, then:
   (A) the total number of existing bicycle parking spaces on the lot must be retained; and
   (B) the additional bicycle parking spaces required for the addition enlargement or alteration must be provided at the rate required by this By-law.

230.5.10 Bicycle Parking Rates All Zones

230.5.10.1 General

(1) Use With Interior Floor Area of 2000 Square Metres or Less

Despite the bicycle parking space rates set out in regulation 230.10.19 (3) to (9), if a bicycle parking space is required for uses on a lot, other than a dwelling unit, and the total interior floor area of all such uses on the lot is 2000 square metres or less, then no bicycle parking space is required.

(2) Multiple uses on a lot

If Chapter 230 Bicycle Parking Space Regulations, require bicycle parking space for one or more uses on a lot, the total number of bicycle parking spaces required is equal to the cumulative total of all bicycle parking spaces required for each use on the lot.

(3) Bicycle Parking Space Rates
For a **building** or portion of a **building** constructed pursuant to a building permit issued three years after the date of passage of this by-law, **bicycle parking spaces** must be provided in compliance with Table 230.5.10.1 (3).

For a building constructed after the date of the enactment of this by-law **bicycle parking spaces** must be provided in accordance with Table 230.25.10.1(3).

### Table 230.25.10.1(3)

<table>
<thead>
<tr>
<th>Use</th>
<th>Bicycle Parking Space Rates</th>
</tr>
</thead>
</table>
| **EATING ESTABLISHMENT** | 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 Bicycle Zone 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 in Bicycle Zone 2; and  
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 Bicycle Zone 1; and  
(ii) 0.13 for each 100 square metres of **interior floor area** used for an eating establishment, if the lot is in Bicycle Zone 2. |
| **RETAIL STORE**         | 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 Bicycle Zone 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 in Bicycle Zone 2; and  
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 Bicycle Zone 1; and  
(ii) 0.13 for each 100 square metres of **interior floor area** used for a retail store, if the lot is in Bicycle Zone 2. |
| **PERSONAL SERVICE SHOP**| 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 Bicycle Zone 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 in Bicycle Zone 2; and  
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 Bicycle Zone 1; and  
(ii) 0.13 for each 100 square metres of **interior floor area** used for a personal service shop, if the lot is in Bicycle Zone 2. |
| **EDUCATION USE**        | 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 **education use**, if the lot is in Bicycle Zone 1; and  
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 an education use, if the lot is in Bicycle Zone 1; and  
(ii) 0.13 for each 100 square metres of **interior floor area** used for an education use, if the lot is in Bicycle Zone 2. |
<table>
<thead>
<tr>
<th>Category</th>
<th>Minimum Number of Short-Term Bicycle Parking Spaces to be Provided</th>
<th>Minimum Number of Long-Term Bicycle Parking Spaces to be Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>education use, if the lot is in Bicycle Zone 1; and</strong> (ii) 3, plus 0.06 <strong>bicycle parking spaces</strong> for each 100 square metres of <strong>interior floor area</strong> used for an education use, if the lot is in Bicycle Zone 2; and</td>
<td>Zone 1; and (ii) 0.06 for each 100 square metres of interior floor area used for an education use, if the lot is in Bicycle Zone 2.</td>
<td></td>
</tr>
<tr>
<td><strong>OFFICE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the minimum number of short-term bicycle parking spaces to be provided is: (i) 3, plus 0.2 <strong>bicycle parking spaces</strong> for each 100 square metres of interior floor area used for an office, other than a medical office, if the lot is in Bicycle Zone 1; and (ii) 3, plus 0.15 <strong>bicycle parking spaces</strong> for each 100 square metres of interior floor area used for an office, other than a medical office, if the lot is in Bicycle Zone 2; and</td>
<td>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 Bicycle Zone 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 in Bicycle Zone 2.</td>
<td></td>
</tr>
<tr>
<td><strong>MEDICAL OFFICE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the minimum number of short-term bicycle parking spaces to be provided is: (i) 3, plus 0.15 <strong>bicycle parking spaces</strong> for each 100 square metres of interior floor area used for a medical office, if the lot is in Bicycle Zone 1; and (ii) 3, plus 0.1 <strong>bicycle parking spaces</strong> for each 100 square metres of interior floor area used for a medical office, if the lot is in Bicycle Zone 2; and</td>
<td>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 Bicycle Zone 1; and (ii) 0.1 for each 100 square metres of interior floor area used for a medical office, if the lot is in Bicycle Zone 2.</td>
<td></td>
</tr>
<tr>
<td><strong>Municipal Shelter</strong></td>
<td></td>
<td>the minimum number of long-term bicycle parking spaces to be provided is 2</td>
</tr>
<tr>
<td><strong>Crisis Care Facility</strong></td>
<td></td>
<td>the minimum number of long-term bicycle parking spaces to be provided is 2</td>
</tr>
<tr>
<td><strong>PUBLIC SCHOOL, PRIVATE SCHOOL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the minimum number of short-term bicycle parking spaces to be provided is: (i) 3, plus 0.1 <strong>bicycle parking spaces</strong> for each 100 square metres of interior floor area used for a public school or private school, if the lot is in Bicycle Zone 1; and (ii) 3, plus 0.06 <strong>bicycle parking spaces</strong> for each 100 square metres of interior floor area used for a public school or private school, if the lot is in Bicycle Zone 2; and</td>
<td>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 Bicycle Zone 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 in Bicycle Zone 2.</td>
<td></td>
</tr>
<tr>
<td><strong>POST-SECONDARY SCHOOLS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>the minimum number of short-term bicycle parking spaces is: (i) 3, plus 2.0 <strong>bicycle parking</strong></td>
<td>the minimum number of long-term bicycle parking spaces to be provided is:</td>
<td></td>
</tr>
</tbody>
</table>
(4) Bicycle Parking Space Requirements for Dwelling Units

Bicycle parking space requirements for an apartment building and for the dwelling units in a mixed use building are:

(A) in Bicycle Zone 1, a minimum of 1.0 bicycle parking spaces for each dwelling unit and allocated as 0.9 long-term bicycle parking space per dwelling unit and 0.1 short-term bicycle parking space per dwelling unit; and

(B) in Bicycle Zone 2, a minimum of 0.75 bicycle parking spaces for each dwelling unit and allocated as 0.68 long-term bicycle parking space per dwelling unit and 0.07 short-term bicycle parking space per dwelling unit

(C) for the purpose of (A) and (B) above:

(i) Bicycle Zone 1 is the area of the city bounded by the Humber River on the west, Lawrence Avenue on the north, Victoria Park Avenue on the east and Lake Ontario on the south; and

(ii) Bicycle Zone 2 includes all areas of the city not included in Bicycle Zone 1.

(5) Short-Term Bicycle Parking Space Rate for Dwelling Units

For dwelling units in an apartment building or in a mixed-use building constructed after the date of the enactment of this by-law, short-term bicycle parking spaces must be provided at a minimum rate of 0.1 for each dwelling unit.

(6) Bicycle Parking Space Requirement - Lawfully Existing Building

For the floor space of a building constructed between July 20, 1993 and the date of the enactment of this By-law, and for a building constructed in compliance with the Article 2.1.3, bicycle parking spaces must be provided as follows:

(A) 80 percent of the bicycle parking spaces required in (B) and (C) must be long-term bicycle parking spaces and all others must be short-term bicycle parking spaces;

(B) if a building is on a lot in Policy Area 1 (PA1), Policy Area 3 (PA3) or Policy Area 4 (PA4) and it is located in a CR zone, long-term bicycle parking spaces must be provided at a minimum rate of 1 bicycle parking space for each 250 square metres of interior floor area used for other than dwelling units, if the gross floor area of the building is 2000 square metres or more; and
(C) if a building contains 10 or more dwelling units and it is located in Policy Area 1 (PA1), Policy Area 3 (PA3) or Policy Area 4 (PA4) or within 500 metres of Policy Area 1 (PA1), Policy Area 3 (PA3) or Policy Area 4 (PA4), bicycle parking spaces must be provided at a minimum rate of 0.75 for each dwelling unit to a maximum of 200 bicycle parking spaces.

(7) Bicycle Change/Shower Facility Requirement - Lawfully Existing Building

For a lot with a building constructed between July 20, 1993 and the date of the enactment of this By-law and for a building constructed in accordance with the Article 2.1.3 a shower-change facility is required for each gender, if the gross floor area of the building, other than an apartment building, is 20,000 square metres or more, and the building is on a lot is located in a CR zone and in Policy Area 1 (PA1), Policy Area 3 (PA3) or Policy Area 4 (PA4).

(8) Lawfully Existing Building - Bicycle Parking Space Not Required

For the portion of a lawfully existing building that was not required to provide bicycle parking spaces, the requirements of regulations 230.5.1.10 and 230.5.10.1 (1) to (5) do not apply.

230.10 Residential Zone Category Regulations

230.10.1 General

230.10.2 Standards

(1) Bicycle Parking Space - Storage Location

In the Residential Zone category, a long-term bicycle parking space for a dwelling unit in an apartment building must not be located:

(A) in a dwelling unit; or
(B) on a balcony; or
(C) in a storage locker.

(2) Bicycle Parking Space Location

If a lot with an apartment building is located in the Residential Zone category, a long-term bicycle parking space must be located:

(A) on the ground floor of the building; or
(B) in a below grade parking structure and must occupy at least 50 percent of the area available for vehicular parking spaces and bicycle parking spaces at each level of the building below grade, commencing with the first level below grade and moving down, in one level increments, until all required bicycle parking spaces have been provided.

(3) Location Relative to Building Entrance

If a lot containing an apartment building is located in the Residential Zone category, 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

230.20.2 Standards

(1) Bicycle Parking Space - Storage Location

In the Residential Apartment Zone category, a long-term bicycle parking space for a dwelling unit in an apartment building must not be located:

(A) in a dwelling unit; or
(B) on a balcony; or
(2) Bicycle Parking Space Location
If a lot with an apartment building is located in the Residential Apartment Zone category, a long-term bicycle parking space must be located:
(A) on the ground floor of the building; or
(B) in a below grade parking structure and must occupy at least 50 percent of the area available for vehicular parking spaces and bicycle parking spaces at each level of the building below grade, commencing with the first level below grade and moving down, in one level increments, until all required bicycle parking spaces have been provided.

(3) Location Relative to Building Entrance
In the Residential Apartment Zone category, 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.

230.30 Commercial Zone Category Regulations

230.30.1 General

230.30.1.20 Standards
(1) Bicycle Parking - Location CL zones
In a CL zone, a bicycle parking space for a dwelling unit must 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) Long Term Bicycle Parking Space Location
In the Commercial Zone category, a long-term bicycle parking space must be located:
(A) outside at grade;
(B) on the ground floor of the building; and
(C) in a below grade parking structure must occupy a minimum of 50 percent of the area available for parking spaces and bicycle parking spaces at each level of the building below grade, commencing with the first level below grade and moving down, in one level increments, until all required bicycle parking spaces have been provided.

(3) Location Relative to Building Entrance
In the Commercial Zone category, 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

230.40.1.20 Standards
(1) Bicycle Parking - Location CR zones
In a CR zone, a bicycle parking space for a dwelling unit must 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) **Long Term Bicycle Parking Space Location**

In the Commercial Residential Zone category, a long-term bicycle parking space required by regulation 230.5.1.10 (3) must be located:

(A) outside on grade if not required for dwelling units;
(B) on the ground floor of the building; or
(C) in a below grade parking structure and must occupy at least 50 percent of the area available for vehicular parking spaces and bicycle parking spaces at each level of the building below grade, commencing with the first level below grade and moving down, in one level increments, until all required bicycle parking spaces have been provided.

(3) **Location Relative to Building Entrance**

In the Commercial Residential Zone category, 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.

### 230.50 Commercial Residential Employment Zone Category Regulations

#### 230.50.1 General

#### 230.50.1.20 Standards

(1) **Bicycle Parking - Location CRE zones**

In a CRE zone, a bicycle parking space for a dwelling unit must 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 commercial space.

(2) **Long Term Bicycle Parking Space Location**

If a lot is located in the Commercial Residential Employment Zone category, long-term bicycle parking space must be located:

(A) outside on grade if not required for dwelling units;
(B) on the ground floor of the building; and
(C) in a below grade parking structure and must occupy at least 50 percent of the area available for vehicular parking spaces and bicycle parking spaces at each level of the building below grade, commencing with the first level below grade and moving down, in one level increments, until all required bicycle parking spaces have been provided.

(3) **Location Relative to Building Entrance**

If a lot in the Commercial Residential Employment Zone category has an apartment building or mixed use building, a short-term bicycle parking space must be located a maximum of 30 metres from a pedestrian entrance to the building on the lot.

### 230.60 Employment Zone Category

#### 230.60.1 General

#### 230.60.1.20 Standards

(1) **Location Relative to Building Entrance**

in the Employment Zone category, a short-term bicycle parking space must be located a maximum of 30 metres from a pedestrian entrance to the principal building on the lot
230.80 Institutional Zone Category Regulations

230.80.1 General

230.80.1.20 Standards

(1) Location Relative to Building Entrance
   In the Institutional Zone category, 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.

(2) Long Term Bicycle Parking Space Location
   If a lot is located in the Institutional Zone category, a long-term bicycle parking space, as defined in Chapter 230, must be located:
   (A) outside on grade;
   (B) on the ground floor of the building; or
   (C) in a below grade parking structure and must occupy a minimum of 50 percent of the area available for vehicular parking spaces and bicycle parking spaces at each level of the building below grade, commencing with the first level below grade and moving down, in one level increments, until all required bicycle parking spaces have been provided.

(3) Bicycle Parking Space - Storage Location
   In the Institutional Zone category, a long-term bicycle parking space, as defined in Chapter 230, may not be located:
   (A) in a dwelling unit or bed-sitting room;
   (B) on a balcony; or
   (C) in a storage locker.
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 lawfully existing building 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

300.5 Regulations Applying to All Centres

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]

300.10 North York Centre

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]

300.20 Scarborough Centre

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]

300.30 Etobicoke Centre

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]

Chapter 400 Special Districts - Avenues

400.5 General Regulations applying to Special Districts - Avenues

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]

400.10 Specific Regulations for Special Districts - Avenues

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]

Chapter 500 Special Districts - Heritage

500.5 General Regulations applying to Heritage Zones

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]

500.10 Zone Regulations

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]
Chapter 600 Regulations for Overlay Zones

600.5 General Regulations applying to Overlay District

(1) [THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS]
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;
   (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.

(10) Agricultural Use
means the use of premises for growing and harvesting plants or raising animals, fowl, fish or insects.

(15) Amenity Space
means indoor or outdoor space on a lot that is communal and available for use by the occupants of a building on the lot for recreational or social activities.

(20) Amusement Arcade
means premises where more than 2 amusement devices are provided for patron use on the premises.

(25) Amusement Device
means a machine or electronic device used for games of skill or chance other than:
   (A) billiards,
   (B) bowling, and
   (C) any gaming or lottery device regulated under Province of Ontario legislation.

(30) Ancillary
means naturally and normally incidental, subordinate in purpose or floor area, and exclusively devoted to a permitted use, building or structure.

(35) Ancillary Sign
means a sign that relates exclusively to the use of the premises on which the sign is located.

(45) Angular Plane
means an imaginary flat surface projecting over a lot, at an inclined angle measure up from the horizontal.

(50) Animal Shelter
means premises used for the keeping, adoption or disposal of stray, abandoned or wild animals.

(55) Apartment Building
means a building that has five or more dwelling units, with at least one dwelling unit entirely or partially above another, and each dwelling unit has a separate entrance directly from outside or through a common inside area. A residential building containing one or more secondary suites and originally constructed as a detached house, semi-detached house, duplex, triplex, fourplex or townhouse, is not an Apartment Building.

(60) Art Gallery
means premises used for the exhibition, collection or preservation of works of art for public viewing.

(65) Artist Studio
means premises used for creating art or craft.

(70) Automated Banking Machine
means a device at which customers can complete self-serve financial transactions.

(75) Average Grade
means the average elevation of the existing or finished ground surface, whichever is lower, around all sides of a building or structure, measured where the building or structure meets the ground surface, excluding:

(A) the part of the ground along any one main wall where there is a permitted driveway for vehicle access into the building or structure; and

(B) parts of the ground along each main wall, up to a cumulative maximum of 25% of the horizontal length of the main wall, where there are pedestrian entrances or window wells.

(80) Basement
means the portion of a building between the first floor and any floor below the first floor.

(85) Bed-Sitting Room
means a room used as separate living accommodation that:

(A) has a private entrance from a hallway inside a building; and

(B) may have sanitary facilities but not food preparation facilities.

(90) Bicycle Parking Space
means an area used for the purpose of parking or storing a bicycle.

(95) Building
means a wholly or partially enclosed structure having a roof supported by walls, columns, piers or other structural systems, but does not include a vehicle.

(100) Building Depth
means the horizontal distance between the front yard setback required on a lot and the portion of the building's rear main wall furthest from the required front yard setback, measured along a line that is perpendicular to the front yard setback line.

(105) Building Length
means the horizontal distance between the portion of the front main wall of a building on a lot closest to the front lot line, and the portion of the rear main wall of the building closest to the rear lot line, measured along the lot centreline. If the relevant parts of these main walls are not intersected by the lot centreline, the measurement is from the point on the lot centreline where a line drawn perpendicular to the lot centreline connects with the relevant part of the main wall.

(110) Building Setback
means a horizontal distance measured at a right angle from any lot line to the nearest part of the main wall of a building or structure.

(115) Cabaret
means premises used to provide entertainment such as a dinner theatre or comedy club, where patrons are seated at tables and where food or beverages may be offered for sale. An adult entertainment establishment, an eating establishment, a nightclub, or an entertainment place of assembly is not a cabaret.

(120) Cemetery
means premises used for the interment of human remains, which may include one or more of the following:

(A) scattering grounds;

(B) columbarium; or

(C) mausoleum.

(125) Club
means premises:

(A) operated by members of a non-profit organization that maintains formal membership and
generally limits attendance at meetings to members; and
(B) used for meetings and gatherings for social, cultural, recreational, charitable or community service purposes; and
(C) a "community centre" is not a "club."

(130) **Cogeneration Energy**
Cogeneration Energy means thermal energy and electrical energy simultaneously produced from the same process.

(135) **Columbarium**
means a "building" or "structure" used for the interment of cremated human remains.

(140) **Community Centre**
means "premises" operated by or on behalf of a government or non-profit organization and used for the purpose of providing community activities, such as arts, crafts, recreational, social, charitable and educational activities. A "club" is not a "community centre."

(145) **Contractor’s Establishment**
means "premises" used as the base of operations of a tradesperson or contractor.

(150) **Corner Lot**
means a "lot" situated,
(A) at the intersection of two or more "streets" having an interior angle of intersection of 135 degrees or less, or
(B) where one "street" bends to create an interior angle of 135 degrees or less.

(155) **Courtyard**
means any area on a "lot" that is bounded on two or more sides by one or more "buildings" on the same "lot.

(160) **Crematorium**
means a "building" or "structure" used to cremate human remains.

(165) **Crisis Care Shelter**
means "premises," other than a municipal shelter, in which short-term emergency accommodation and associated support services are provided and supervised.

(170) **Custom Workshop**
means "premises" used for producing or making custom-made goods in limited quantities, using techniques that do not involve mass-production.

(175) **Day Nursery**
means "premises" 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 regulated by applicable Province of Ontario legislation for "Day Nurseries." A recreational program operated by or for the City is not a "Day Nursery."

(180) **Detached House**
means a "building" that has one "dwelling unit" occupying the whole "building."

(185) **Distribution**
means the delivery of energy derived from renewable energy or cogeneration energy, to a distribution network connected to the "lot."

(190) **District Heating and Cooling Plant**
means "premises" used to generate, for mass distribution, thermal energy to heat or cool.

(195) **Drive Aisle**
means a vehicular passageway located within an area used for the parking or storage of 3 or more "vehicles."

(200) **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."
(205) **Drive Through Facility**
means premises used to provide or dispense products or services, through an attendant, or a window or an automated machine, to persons remaining in vehicles that are in a designated stacking aisle. A vehicle washing establishment or a vehicle fuel station is not a drive through facility.

(210) **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.

(215) **Duplex**
means a building that has only two dwelling units, with one dwelling unit entirely or partially above the other.

(220) **Dwelling Unit**
means living accommodation for a person or persons living together as a single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the unit.

(225) **Eating Establishment**
means premises where food or beverages are prepared and offered for sale to patrons for immediate consumption on the premises while they are seated, and which may include an incidental take-out service.

(230) **Education Use**
means the use of premises for education or training, other than:

   (A) a post-secondary school;
   (B) a school regulated under the Education Act, R.S.O. 1990, c.E.2; or
   (C) a religious education use.

(235) **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.

(240) **Established Grade**
means the average elevation of the ground measured at the two points where the projection of the required minimum front yard setback line is 0.01 metres past each side lot line.

(245) **Financial Institution**
means premises used to provide financial services to the public, other than exclusively through an Automated Banking Machine.

(250) **Firearm**
means a device such as a handgun, rifle, shotgun or any other similar device, used or capable of being used to fire a projectile from a cartridge or shot shell;

(255) **First Floor**
means the floor of the building, other than an area used for parking, that:

   (A) is closest in elevation to the elevation of established grade;
   (B) has an interior floor area in excess of 10 square metres; and
   (C) is closest to the required front yard setback.

(260) **Former General Zoning By-law**
means:

   (A) By-law No. 438-86 (being the Zoning By-law of the former City of Toronto), as amended, By-law 291-68 (being the Forest Hill Zoning By-law), as amended, and By-law 278-73 (being the Swansea Zoning By-law), as amended, and their predecessor zoning by-laws as applicable;
   (B) By-law No. 7625 (being the Zoning By-law of the former City of North York), as amended, and predecessor zoning by-laws as applicable;
   (C) By-law 1-83 (being the Zoning By-law of the former City of York), as amended, and predecessor by-laws as applicable;
zoning by-laws as applicable;

(D) Zoning Code of The City of Etobicoke, Canada, V131 (being the Zoning Code of the former City of Etobicoke), as amended, and predecessor zoning by-laws as applicable;

(E) Borough Of East York Zoning By-Law No.1916 (Town Of Leaside), as amended, and By-Law No. 6752 (Township Of East York), as amended, (being the Zoning By-laws of the former Borough of East York), and their predecessor zoning by-laws as applicable;

(F) The Corporation of the City of Scarborough By-Law Number: 10076 (Agincourt); 12797 (Agincourt North); 8766 (Birchcliff); 9350 (Bendale); 9174 (Birchmount Park); 9396 (Cliffcrest); 12077 (Centennial); 8978 (Clairlea); 9364 (Cliffside); 9508 (Dorset Park); 10048 (Eglinton); 9676 (Guildwood); 10827 (Highland Creek); 9089 (Ionview); 9276 (Kennedy Park); 12466 (L’amoreaux); 14402 (Malvern); 12181 (Malvern West); 842-2004 (Midland-St.Clair); 17677 (Milliken); Morningside Heights; 11883 (Morningside); 9366 (Maryvale); 9812 (Oakridge); 15907 (Rouge); 10010 (Scarborough Village); 16762 (Steeles); 10717 (Sullivan); 12360 (Tam O’Shanter); 25278 (Upper Rouge – Hillside); 950-2005 (Warden Woods); 9511 (Wexford); 10327 (West Hill); 9510 (Woburn); Employment Districts Zoning By-Law Number 24982; Industrial District By-Law Number 12790 Centennial Industrial District; The Corporation Of The Township Of Pickering By-Law Number 1978; By-Law Number 3036 (Highway No. 2 Area in Rouge Community) (being the Zoning By-laws of the former City of Scarborough), all as amended, and their predecessor zoning by-laws as applicable.

(265) **Fourplex**
means a building that has only four dwelling units, with at least one dwelling unit entirely or partially above another.

(275) **Front Lot Line**
means the lot line or contiguous lines dividing a lot from a street.

(280) **Front Wall**
means any portion of the main wall of a building or structure that faces a front lot line.

(285) **Front Yard**
means the area on a lot,

(A) between the front lot line and all front main walls of the building, and

(B) extending parallel to the front lot line across the full width of the lot from the point where the front main wall of the building meets the building’s side main walls closest to the respective side lot lines.

(290) **Front Yard Setback**
means a horizontal distance on a lot measured at a right angle from the front lot line to the nearest main wall of a building or structure.

(295) **Funeral Home**
means premises used for the care and preparation of human remains, and may include related co-ordination and provision of rites and ceremonies so that persons may attend and pay their respects.

(300) **Funeral Visitation Centre**
means premises established for the purpose of temporarily placing human remains and may include related co-ordination and provision of rites and ceremonies, so that persons may attend and pay their respects. A funeral visitation centre is not a Funeral Home and does not include the care and preparation of human remains.

(305) **Gaming Establishment**
means premises used for the purpose of wagering on games of chance under Province of Ontario legislation, excluding bingo or other lottery events licensed by the City of Toronto for charitable purposes.

(310) **Geo-Energy**
means energy derived from the temperature of the earth that is used to produce thermal energy or converted to produce electrical energy.

(315) **Green Roof**
means an extension to a building’s roof that allows vegetation to grow in a growing medium and which is designed, constructed and maintained in compliance with the Toronto Green Roof Construction
Standard.

(320) **Gross Floor Area**
means the sum of 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.

(325) **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.

(330) **Heritage District**
means an area identified as being of historical, architectural, archaeological or cultural heritage value or interest, and designated as a Heritage Conservation District pursuant to the Ontario Heritage Act R.S.O. 1990, c.O.18, as amended.

(335) **Heritage Site**
means **premises** included in the City of Toronto Inventory of Heritage Properties, listed as being of historical, architectural, archaeological or cultural heritage value or interest, or designated as such pursuant to the Ontario Heritage Act R.S.O. 1990, c.O.18, as amended.

(340) **Home Occupation**
means a business use within a **dwelling unit**, where the **dwelling unit** is the principal residence of the business operator.

(350) **Hospice Care Home**
means **premises** used to provide people palliative care.

(355) **Hospital**
means **premises** used as a private or public hospital under Province of Ontario legislation for the care or treatment of:

(A) persons afflicted with or suffering from sickness, disease or injury;
(B) convalescent or chronically ill persons;
(C) persons suffering from substance addictions; or
(D) persons suffering from emotional, psychological or mental disorders.

(360) **Hotel**
means **premises** used to cater to the needs of the travelling public by providing sleeping accommodation in rooms or suites, and it may include an **ancillary eating establishment**.

(365) **Industrial Gas Manufacturing**
means **premises** used for primary processing of propane, hydrogen, ammonia, chlorine, or other toxic gas.

(370) **Industrial Sales and Service Use**
means the use of **premises** for the lease, rental, sale, servicing or repair of equipment or goods for businesses only. Industrial Sales and Service does not include the lease, rental, sale, servicing, customizing or repair of **vehicles**, other than for construction or agriculture.

(375) **Interior Floor Area**
means the floor area of any part of a **building**, measured to:

(A) the interior side of a **main wall**;
(B) the centreline of an interior wall; or
(C) a line delineating the part being measured.

(380) **Kennel**
means **premises** used for boarding, training or breeding of dogs, cats or other domestic animals.

(385) **Key Lot**
means a **lot** that abuts a **corner lot**, other than another **corner lot**.

(390) **Laboratory**
means **premises** used for scientific or technical research, analysis, experimentation or development.

(395) **Landscaping**
means an area used for trees, plants, decorative stonework, retaining walls, walkways, or other landscape-architectural elements. **Driveways** and areas for loading, parking or storing **vehicles** are not **Landscaping**.

(400) **Lane**
means a public right-of-way that is not for general traffic circulation.

(405) **Lawful and Lawfully**
means:
(A) authorized or permitted before a zoning or restrictive bylaw applied;
(B) in compliance with the provisions of the applicable **former general zoning by-law**; or
(C) authorized pursuant to a Section 45 Planning Act minor variance, with respect to a regulatory standard.

(410) **Lawfully Existing**
means:
(A) existing **lawfully** on [insert the date of passage of this By-law];
(B) for which a building permit was **lawfully** issued before the date of passage of this By-law; or
(C) for which a building permit was issued within three years of the date of passage of this By-law pursuant to Article 2.1.3, Transition Clauses.

(415) **Loading Space**
means an area used for the loading or unloading of goods or commodities from a **vehicle**.

(420) **Lot**
means a single parcel or tract of land that may be conveyed in compliance with the provisions of the Planning Act of the Province of Ontario.

(425) **Lot Area**
means the horizontal area within all the **lot lines** of a **lot**.

(430) **Lot Centreline**
means a straight line joining the midpoint of the **front lot line** and the midpoint of the **rear lot line**.

(435) **Lot Coverage**
means the portion of the **lot** that is covered by any part of any **building** or **structure** on or above the surface of the **lot**.

(440) **Lot Depth**
means the horizontal distance between the front and **rear lot lines** of a **lot**, measured along the **lot centreline**.

(445) **Lot Frontage**
means the horizontal distance between the **side lot lines** of a **lot**, or the projection of the **side lot lines**, measured along a straight line drawn perpendicular to the **lot centreline** at the minimum required **front yard setback**.

(450) **Lot Line**
means any boundary of a **lot**.

(455) **Main Wall**
means any exterior wall of a **building** or **structure**, including all structural members essential to the support of a roof over a fully or partly enclosed area.

(460) **Manufacturing Use**
means the use of **premises** for fabricating, processing, assembling, packaging, producing or making goods or commodities, and it includes repair of such goods or commodities.

(465) **Market Garden**
means **premises** used for growing and harvesting vegetables, fruits, flowers, shrubs, trees or other
horticultural products for the purpose of sale.

(470) **Mausoleum**
means a building or structure, other than a columbarium, used for the interment of human remains.

(475) **Mixed Use Building**
means a building containing a dwelling unit and a non-residential use

(480) **Municipal Shelter**
means premises in which short-term emergency accommodation and associated support services are provided and supervised, and is operated by or for the City of Toronto, or an agency of the City of Toronto.

(485) **Museum**
means premises used for the exhibition, collection or preservation of objects of cultural, historical or scientific interest for public viewing.

(490) **Nightclub**
means premises used to provide dance facilities for patrons and where food or beverages may be offered for sale, such as a dance hall or disco. A cabaret, an entertainment place of assembly, an eating establishment, or an adult entertainment establishment is not a Nightclub.

(495) **Non-Profit Organization**
means:

(A) a corporation without share capital to which the provisions of Part III of the Corporations Act, R.S.O. 1990, c.C.38, as amended, apply; or

(B) a non-profit organization, a charitable organization or a registered charity, as those terms are defined in the Income Tax Act, R.S.C. 1985, Chapter 1 (5th Supp.), as amended.

(500) **Non-Residential Building**
means a building that does not contain a dwelling unit.

(505) **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.

(510) **Obnoxious Use**
means the use of premises in a manner that is offensive through the creation or transmission of noise, vibration, illumination, emissions, fumes, odour, dust or radiation, or any combination of these, beyond any lot lines of the premises.

(515) **Off-site Parking**
means one or more parking spaces on one lot providing required parking spaces for a use on another lot.

(520) **Open Storage**
means the use of premises for keeping or storing goods, commodities, containers or equipment other than in a wholly enclosed building. Public parking, or the parking or storing of vehicles in a vehicle depot or in a required parking space, is not Open Storage.

(525) **Outdoor Patio**
means an outdoor patron area ancillary to a non-residential use.

(530) **Park**
means premises used for conservation, horticulture, or municipally operated public recreation.

(535) **Parking Garage**
means a building or portion thereof, containing one or more parking spaces.

(540) **Parking Space**
means an area used for the parking or storing of a vehicle.

(545) **Passenger Terminal**
means premises used for the boarding or discharge of people being transported.

(550) **Performing Arts Studio**
means premises used for the rehearsal of performing arts, such as music, dance or theatre.

(555) Personal Service Shop
means premises used to provide personal grooming services or for the cleaning or care of apparel.

(560) Pesticide or Fertilizer Manufacturing
means premises used for manufacturing agricultural chemicals, including nitrogenous and phosphoric fertilizer materials, mixed fertilizers, and agricultural and household pest control chemicals.

(565) Pet Services
means premises used to provide for the grooming of domestic animals. A veterinary hospital or a kennel are not pet services.

(570) Petrochemical Manufacturing
means premises used for primary processing of refined petroleum and natural gas into petrochemicals for secondary processing.

(575) Place of Assembly
means premises used for social, cultural, educational or trade events, such as a banquet hall, convention or trade centre, or a hall used for bingo or other lottery events licensed by the City of Toronto for charitable purposes.

(580) Place of Worship
means premises used by a religious organization for worship.

(585) Post-Secondary School
means premises used for educational purposes by a degree-granting college or university under applicable Province of Ontario legislation.

(590) Power Generation Use
means the use of premises for the production of energy for mass distribution.

(595) Premises
means the whole or part of lands, buildings or structures, or any combination of these.

(605) Private Home Daycare
means premises used for the temporary care of 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.

(610) Private School
means premises used for elementary or secondary education regulated under the Education Act, R.S.O. 1990, c. E.2, as amended, but not publicly funded under the Act.

(615) Production Studio
means premises used for producing live broadcasts, motion pictures, or audio or video recordings or transmissions. The mass reproduction of film or recordings is not a Production Studio.

(620) Public 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.

(625) 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.

(630) Public Utility
means premises or facilities used for telecommunications, the transmission and distribution of electricity, the distribution of gas, steam or other forms of energy, or the collection, distribution, storage or treatment of water or sewage.

(635) Public Works Yard
means premises operated by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada, for the storage, manufacture, maintenance or repair of buildings, infrastructure, materials or equipment. A Public Works Yard may include uses such as a machine shop, paint shop, sign shop, wood-working shop, repair garage or storage facility used in connection with public works such as
transportation uses and parks.

(640) 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.

(645) Rear Lot Line
means, in the case of:
(A) a square or rectangular lot, the lot line opposite the front lot line;
(B) a three-sided lot, the point where two lot lines meet furthest from the front lot line; or
(C) any other type of lot, the furthest lot line opposite the front lot line, including any contiguous line adjoining it at an angle of less than 45 degrees.

(650) Rear Yard
means the area on a lot,
(A) between the rear lot line and all rear main walls of the building, and
(B) extending parallel to the rear lot line across the full width of the lot from the point where the rear main wall of the building meets the building’s side main walls closest to the respective side lot lines.

(655) Rear Yard Setback
means a horizontal distance on a lot measured at a right angle from the rear lot line to the nearest main wall of a building or structure.

(660) Recovery Facility
means premises used for separating or sorting recyclable material. A salvage yard is not a Recovery Facility.

(665) Recreation Use
means premises used for sports, physical play or exercise, such as a fitness club, bowling alley, billiards hall or pool hall, swimming pool or skating rink. An amusement arcade and a sports place of assembly are not a Recreation Use.

(670) Recyclable Material
means material that is separated into specific categories for purposes of re-use, recycling or composting.

(675) Religious Education Use
means the use of premises by a religious organization for religious education, other than:
(A) a post-secondary school; or
(B) a school regulated under the Education Act, R.S.O. 1990, c.E.2, as amended.

(680) Religious Organization
means 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.

(685) Religious Residence
means premises owned or operated by, or on behalf of, a religious organization, consisting of dwelling units or rooms, used as accommodation for students or clerics, such as a monastery, nunnery or similar residence.

(690) Renewable Energy
means energy obtained from solar energy, wind energy, or geo-energy.

(695) Residential Building
includes the following types of buildings:
(A) apartment building;
(B) detached house;
(C) duplex;
(D) fourplex;
(E) semi-detached house;
(F) townhouse; or
(G) triplex.

(700) **Residential Care Home**
means supervised living accommodation that may include associated support services, and is:
(A) licensed or funded under Province of Ontario or Government of Canada legislation;
(B) for persons requiring semi-independent or group living arrangements by reason of their emotional, mental, social or physical condition or legal status; and
(C) for more than ten persons, exclusive of staff.
An apartment building used for the purpose of supportive housing or social housing is not a Residential Care Home.

(705) **Resin, Natural or Synthetic Rubber Manufacturing**
means premises used for primary processing of synthetic resins, plastics materials and synthetic rubber from basic organic chemicals.

(710) **Respite Care Facility**
means premises used for the provision of short-term non-emergency services for the supervised care of people of any age, in order to provide relief to their caregivers. A respite care facility may include the provision of services, such as:
(A) preventive medicine,
(B) counselling,
(C) social, recreational or educational programs, or
(D) day or overnight care,
A day nursery is not a Respite Care Facility.

(715) **Retail Service**
means premises in which photocopying, printing, postal, or courier services are sold or provided.

(720) **Retail Store**
means premises in which goods or commodities are sold, rented or leased.

(725) **Retirement Home**
means premises used for semi-independent living accommodation for senior citizens primarily in bed-sitting rooms, with common dining and lounge areas. A seniors community house is not a Retirement Home.

(730) **Salvage Yard**
means premises used as a scrap metal yard or a vehicle wrecking yard, and which may include storing, dismantling, crushing, or demolishing vehicles or heavy equipment or parts thereof.

(735) **Secondary Suite**
means self-contained living accommodation for an additional person or persons living together as a separate single housekeeping unit, in which both food preparation and sanitary facilities are provided for the exclusive use of the occupants of the suite, located in and subordinate to a dwelling unit.

(740) **Self-Storage Warehouse**
means premises where individual enclosed areas are made available to the public for keeping or storing goods or commodities.

(745) **Semi-Detached House**
means a building that has only two dwelling units, and no dwelling unit is entirely or partially above another.

(750) **Seniors Community House**
means premises operated by a non-profit organization providing living accommodation for up to ten senior citizens in bed-sitting rooms, if there is:
(A) a maximum of two persons for each bed-sitting room,
(B) accommodation for one staff person,
(C) a common lounge and dining area, and
(D) one or two kitchens shared by all residents.

(755) Service Shop
means premises used for servicing, repairing or refurbishing goods, other than vehicles. A personal service shop is not a Service Shop.

(760) Shipping Terminal
means premises used for transferring goods or commodities between vehicles or other transportation modes, and which may include ancillary facilities for maintenance, service and fuelling areas. A waste transfer station is not a Shipping Terminal.

(765) Side Lot Line
means any lot line other than a front lot line or a rear lot line.

(770) Side Yard
means the area on a lot that extends between the front yard and the rear yard of the lot, between the side lot lines and the building’s side main walls respectively facing the side lot lines.

(775) Side Yard Setback
means a horizontal distance on a lot measured at a right angle from the side lot lines to the nearest main wall of a building or structure.

(780) Soft Landscaping
means landscaping, and excludes hard-surfaced areas such as decorative stonework, retaining walls, walkways, or other hard-surfaced landscape-architectural elements.

(785) Software Development and Processing
means premises used for software development and testing, or for the collection, analysis, processing, storage or distribution of electronic data.

(790) Solar Energy
means energy from the sun that is converted to produce electrical or thermal energy.

(795) Sports Place of Assembly
means premises used for spectator sporting events, such as a stadium or arena.

(800) Stable
means premises used for keeping, boarding, training or breeding horses, mules or other equine animals.

(805) Stacked Bicycle Parking Space
means a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces.

(810) Stacked Parking Space
means a parking space that is positioned above or below another parking space and is accessed only by means of an elevating device.

(815) Stacking Aisle
means an on-site queuing area for motor vehicles that is separated from other vehicular traffic and pedestrian circulation by barriers, markings or signs.

(820) Storey
means a level of a building, other than a basement, located between any floor and the floor, ceiling or roof immediately above it.

(825) Street
means a public right-of-way for general traffic circulation.

(830) Street Yard
means any front, rear or side yard abutting a street.

(835) Structure
means anything that is erected, built or constructed of one or more parts joined together. A vehicle is not a structure.

(840) **Student Residence**

means premises owned 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.

(845) **Take-out Eating Establishment**

means premises where food or beverages are prepared and offered for sale to patrons for consumption off the premises.

(850) **Tandem Parking Space**

means a parking space that is only accessed by passing through another parking space from a street, lane, drive aisle or driveway.

(855) **Through Lot**

means a lot, other than a corner lot, that abuts:

(A) more than one street; or

(B) one street in more than one location.

(860) **Tourist Home**

means a use that:

(A) is located in a dwelling unit which is the principal residence of the Tourist Home operator;

(B) caters to the needs of the travelling public by the furnishing of sleeping accommodation; and

(C) may include the provision of meals.

(865) **Townhouse**

means a building that has three or more dwelling units, and no dwelling unit is entirely or partially above another.

(870) **Transportation Use**

means the use of premises or facilities for the operation of a mass transit system or a transportation system that is provided by, or on behalf of, the City of Toronto, Province of Ontario or Government of Canada, or is privately operated and federally regulated.

(875) **Triplex**

means a building that has only three dwelling units, with at least one dwelling unit entirely or partially above another.

(880) **Vehicle**

means a wheeled or tracked device, either self-propelled or capable of being pulled by a self-propelled device, for moving persons or objects, or used for construction or agriculture.

(885) **Vehicle Dealership**

means premises used for the sale, rental or lease of vehicles displayed or stored on site, excluding construction or agricultural vehicles.

(890) **Vehicle Depot**

means premises used for the non-public storing of vehicles, excluding construction or agricultural vehicles. A Vehicle Depot may include ancillary dispatching, maintenance, service and fuelling areas for the stored vehicles.

(895) **Vehicle Fuel Station**

means premises where vehicle fuels are sold to the public.

(900) **Vehicle Repair Shop**

means premises used for vehicle service, repair or customizing, such as spray painting, repairing body or fender components.

(910) **Vehicle Service Shop**

means premises used for vehicle service or customizing, such as mechanical, electrical, glass or upholstery service or installation of parts or accessories, but excluding:
(A) spray painting or repairing body or fender components; and
(B) the service or customizing of construction or agriculture vehicles.

(915) Vehicle Washing Establishment
means premises used for washing or cleaning vehicles.

(920) Veterinary Hospital
means premises used by a licensed veterinarian for the medical treatment of animals.

(925) Warehouse
means premises used for keeping or storing goods or commodities, to which the general public does not have access, and which may also be used for the distribution of the goods or commodities.

(930) Waste Incinerator
means premises where waste material is reduced or destroyed by combustion through the application of heat.

(935) Waste Transfer Station
means premises used for receiving waste or recyclable material and transferring the material to vehicles for transport to another location.

(940) Wholesaling Use
means the use of premises for the sale of goods or commodities only to retailers or other businesses.

(945) Wind Energy
means energy from the wind that is converted to produce electrical energy.

(950) Zoo
means premises used for the care and exhibiting of animals and other living things for public viewing, and which may include breeding or research.