



CITY OF TORONTO ZONING BY-LAW

Volume 1

Draft

November 8, 2012

Planning and Growth Management Committee

Table of Contents

Volume 1

This would be the cover page.....	1
Chapter 1 Administration.....	1
1.5 General.....	1
1.5.1 Title	1
1.5.2 Purpose and Intent of this By-law	1
1.5.3 Licenses, Permits and Other By-laws	1
1.5.4 Defined Terms.....	1
1.5.5 Zoning By-law Map.....	1
1.5.6 Former General Zoning By-laws	1
1.5.7 Lands Subject to this By-law.....	1
1.5.8 Items that are part of this By-law	2
1.5.9 Items that are not part of this By-law.....	2
1.5.10 Severability of this By-law	2
1.20 Interpretation	2
1.20.1 By-law Structure	2
1.20.2 How to Read this By-law -Text.....	3
1.20.3 How to Read this By-law - Zoning By-law Map	4
1.20.4 How to Read this By-law - Overlay Maps.....	4
1.40 Zones and Zone Categories	5
1.40.10 Residential Zone Category	5
1.40.15 Residential Apartment Zone Category	5
1.40.30 Commercial Zone Category	6
1.40.40 Commercial Residential Zone Category.....	6
1.40.50 Commercial Residential Employment Zone Category	6
1.40.60 Employment Industrial Zone Category	7
1.40.80 Institutional Zone Category.....	7
1.40.90 Open Space Zone Category.....	8
1.40.100 Utility and Transportation Zone Category	9
Chapter 2 Compliance with this By-law	9
2.1 Matters to Comply.....	9
2.1.1 General.....	9
2.1.2 Variances	10
2.1.3 Transition Clauses.....	10
Chapter 5 Regulations applying to all Zones	13
5.10 General Regulations	13
5.10.1 General	13
5.10.20 Permitted Uses	13
5.10.30 Lot Requirements.....	14
5.10.40 Principal Building Requirements.....	14
5.10.50 Yards.....	16

5.10.60 Ancillary Buildings and Structures	16
5.10.75 Energy Regulations	17
5.10.175 Fence.....	17
Chapter 10 Residential.....	18
10.5 Regulations Applying to the Residential Zone Category	18
10.5.1 General	18
10.5.20 Permitted Uses.....	18
10.5.30 Lot Requirements	19
10.5.40 Principal Building Requirements	20
10.5.50 Yards.....	27
10.5.60 Ancillary Buildings and Structures	28
10.5.75 Energy Regulations	32
10.5.80 Parking.....	33
10.5.100 Access to Lot.....	36
10.5.150 Waste	37
10.10 Residential Zone (R)	37
10.10.1 General.....	37
10.10.20 Permitted Uses.....	37
10.10.30 Lot Requirements	39
10.10.40 Principal Building Requirements	40
10.10.50 Yards	44
10.10.60 Ancillary Buildings and Structures	44
10.10.80 Parking	44
10.10.90 Loading.....	45
10.20 Residential Detached Zone (RD).....	45
10.20.1 General.....	45
10.20.20 Permitted Uses.....	45
10.20.30 Lot Requirements	47
10.20.40 Principal Building Requirements	48
10.40 Residential Semi-Detached Zone (RS)	51
10.40.1 General.....	51
10.40.20 Permitted Uses.....	51
10.40.30 Lot Requirements	53
10.40.40 Principal Building Requirements	53
10.60 Residential Townhouse Zone (RT)	55
10.60.1 General.....	55
10.60.20 Permitted Uses.....	56
10.60.30 Lot Requirements	57
10.60.40 Principal Building Requirements	58
10.80 Residential Multiple Dwelling Zone (RM)	60
10.80.1 General.....	60
10.80.20 Permitted Uses.....	60
10.80.30 Lot Requirements	62
10.80.40 Principal Building Requirements	63
Chapter 15 Residential Apartment	66
15.5 Regulations applying to the Residential Apartment Zone Category	66

15.5.1 General	66
15.5.20 Permitted Uses	67
15.5.30 Lot Requirements.....	67
15.5.40 Principal Building Requirements.....	68
15.5.50 Yards.....	72
15.5.60 Ancillary Buildings and Structures.....	72
15.5.75 Energy Regulations	75
15.5.80 Parking.....	76
15.5.100 Access to Lot.....	77
15.5.150 Waste.....	77
15.10 Residential Apartment Zone (RA).....	77
15.10.1 General	77
15.10.20 Permitted Uses.....	77
15.10.30 Lot Requirements.....	80
15.10.40 Principal Building Requirements	80
15.20 Residential Apartment Commercial (RAC).....	82
15.20.1 General	82
15.20.20 Permitted Uses.....	82
15.20.30 Lot Requirements.....	85
15.20.40 Principal Building Requirements	86
Chapter 30 Commercial.....	87
30.5 Regulations applying to the Commercial Zone Category.....	87
30.5.1 General	87
30.5.20 Permitted Uses	88
30.5.40 Principal Building Requirements.....	88
30.5.75 Energy Regulations	90
30.5.80 Parking.....	91
30.20 Commercial Local Zone (CL).....	91
30.20.1 General	91
30.20.20 Permitted Uses.....	91
30.20.30 Lot Requirements.....	93
30.20.40 Principal Building Requirements	94
30.20.50 Yards.....	98
30.20.80 Parking.....	99
30.20.90 Loading.....	99
30.20.100 Access to Lot.....	100
30.20.150 Waste.....	100
Chapter 40 Commercial Residential.....	100
40.5 Regulations applying to the Commercial Residential Zone Category.....	100
40.5.1 General	100
40.5.20 Permitted Uses	101
40.5.40 Principal Building Requirements.....	102
40.5.75 Energy Regulations	104
40.5.80 Parking.....	105
40.10 Commercial Residential Zone (CR).....	105
40.10.1 General	105

40.10.20 Permitted Uses.....	106
40.10.30 Lot Requirements	112
40.10.40 Principal Building Requirements	113
40.10.50 Yards	122
40.10.80 Parking	123
40.10.90 Loading.....	123
40.10.100 Access to Lot.....	124
40.10.150 Waste	124
Chapter 50 Commercial Residential Employment.....	125
50.5 Regulations applying to the Commercial Residential Employment Zone	
Category	125
50.5.1 General	125
50.5.20 Permitted Uses.....	125
50.5.40 Principal Building Requirements	126
50.5.75 Energy Regulations	129
50.5.80 Parking.....	130
50.10 Commercial Residential Employment Zone (CRE)	130
50.10.1 General.....	130
50.10.20 Permitted Uses.....	130
50.10.40 Principal Building Requirements	137
50.10.50 Yards	143
50.10.80 Parking	143
50.10.90 Loading.....	144
50.10.100 Access to Lot.....	144
50.10.150 Waste	145
Chapter 60 Employment Industrial.....	145
60.5 Regulations applying to the Employment - Industrial Zone Category.....	145
60.5.1 General	145
60.5.20 Permitted Uses.....	145
60.5.30 Lot Requirements	146
60.5.40 Principal Building Requirements	146
60.5.50 Yards.....	148
60.5.75 Energy Regulations	149
60.5.80 Parking.....	149
60.5.90 Loading.....	150
60.5.100 Access to Lot.....	151
60.10 Employment Light Industrial Zone (EL)	151
60.10.1 General.....	151
60.10.20 Permitted Uses.....	152
60.10.30 Lot Requirements	154
60.10.40 Principal Building Requirements	155
60.10.50 Yards	156
60.10.60 Ancillary Buildings and Structures	156
60.10.80 Parking	156
60.10.90 Loading.....	157
60.20 Employment Industrial Zone (E)	157

60.20.1 General	158
60.20.20 Permitted Uses	158
60.20.30 Lot Requirements.....	161
60.20.40 Principal Building Requirements	162
60.20.50 Yards.....	163
60.20.60 Ancillary Buildings and Structures.....	163
60.20.80 Parking.....	163
60.20.90 Loading.....	164
60.30 Employment Heavy Industrial Zone (EH)	164
60.30.1 General	164
60.30.20 Permitted Uses.....	165
60.30.30 Lot Requirements.....	166
60.30.40 Principal Building Requirements	167
60.30.50 Yards.....	168
60.30.60 Ancillary Buildings and Structures.....	168
60.30.90 Loading.....	168
60.40 Employment Industrial Office Zone (EO).....	168
60.40.1 General	168
60.40.20 Permitted Uses.....	169
60.40.30 Lot Requirements.....	173
60.40.40 Principal Building Requirements	173
60.40.50 Yards.....	175
60.40.60 Ancillary Buildings and Structures.....	175
60.40.80 Parking.....	175
60.40.90 Loading.....	175
Chapter 80 Institutional.....	176
80.5 Regulations applying to the Institutional Zone Category.....	176
80.5.1 General	176
80.5.20 Permitted Uses	176
80.5.30 Lot Requirements.....	177
80.5.40 Principal Building Requirements.....	178
80.5.50 Yards.....	180
80.5.60 Ancillary Buildings and Structures.....	180
80.5.75 Energy Regulations	180
80.5.80 Parking.....	181
80.5.100 Access to Lot.....	182
80.5.150 Waste.....	182
80.10 Institutional General Zone (I)	182
80.10.1 General	182
80.10.20 Permitted Uses.....	182
80.10.30 Lot Requirements.....	185
80.10.40 Principal Building Requirements	185
80.10.50 Yards.....	187
80.10.80 Parking.....	187
80.10.90 Loading.....	187
80.10.150 Waste.....	188

80.20 Institutional Hospital Zone (IH).....	188
80.20.1 General.....	188
80.20.20 Permitted Uses.....	188
80.20.30 Lot Requirements	191
80.20.40 Principal Building Requirements	191
80.20.60 Ancillary Buildings and Structures	192
80.20.80 Parking	192
80.20.90 Loading.....	193
80.20.100 Access to Lot.....	193
80.20.150 Waste	193
80.30 Institutional Education Zone (IE)	193
80.30.1 General.....	193
80.30.20 Permitted Uses.....	193
80.30.30 Lot Requirements	196
80.30.40 Principal Building Requirements	196
80.30.60 Ancillary Buildings and Structures	197
80.30.80 Parking	197
80.30.90 Loading.....	197
80.30.150 Waste	198
80.40 Institutional School Zone (IS)	198
80.40.1 General.....	198
80.40.20 Permitted Uses.....	198
80.40.30 Lot Requirements	200
80.40.40 Principal Building Requirements	200
80.40.50 Yards	201
80.40.60 Ancillary Buildings and Structures	201
80.40.80 Parking	202
80.40.90 Loading.....	203
80.40.150 Waste	203
80.50 Institutional Place of Worship Zone (IPW)	203
80.50.1 General.....	203
80.50.20 Permitted Uses.....	203
80.50.30 Lot Requirements	205
80.50.40 Principal Building Requirements	206
80.50.50 Yards	207
80.50.60 Ancillary Buildings and Structures	207
80.50.80 Parking	208
80.50.150 Waste	208
Chapter 90 Open Space	208
90.5 Regulations applying to the Open Space Zone Category	208
90.5.1 General	208
90.5.20 Permitted Uses.....	209
90.5.40 Principal Building Requirements	209
90.5.75 Energy Regulations	211
90.5.80 Parking.....	212
90.10 Open Space Zone (O)	212

90.10.1 General	212
90.10.20 Permitted Uses	213
90.10.40 Principal Building Requirements	213
90.20 Open Space - Natural Zone (ON)	214
90.20.1 General	214
90.20.20 Permitted Uses	214
90.20.40 Principal Building Requirements	215
90.30 Open Space - Recreation Zone (OR).....	215
90.30.1 General	215
90.30.20 Permitted Uses.....	216
90.30.40 Principal Building Requirements	217
90.40 Open Space - Golf Course Zone (OG)	218
90.40.1 General	218
90.40.20 Permitted Uses.....	218
90.40.40 Principal Building Requirements	219
90.50 Open Space - Marina Zone (OM)	220
90.50.1 General	220
90.50.20 Permitted Uses.....	220
90.50.40 Principal Building Requirements	221
90.70 Open Space - Cemetery Zone (OC).....	222
90.70.1 General	222
90.70.20 Permitted Uses.....	222
90.70.40 Principal Building Requirements	223
Chapter 100 Utility and Transportation	224
100.5 Regulations applying to the Utility and Transportation Zone Category	224
100.5.1 General	224
100.5.75 Energy Regulations	224
100.5.80 Parking.....	225
100.10 Utility and Transportation Zone (UT).....	225
100.10.1 General.....	225
100.10.20 Permitted Uses.....	225
100.10.40 Principal Building Requirements	226
100.10.80 Parking	226
Chapter 150 Specific Use Regulations	227
150.5 Home Occupation.....	227
150.5.1 General	227
150.5.20 Use Requirements.....	227
150.5.40 Building Requirements.....	228
150.5.60 Ancillary Buildings and Structures.....	228
150.10 Secondary Suite	228
150.10.1 General.....	228
150.10.20 Use Requirements.....	228
150.10.40 Building Requirements.....	229
150.10.80 Parking	230
150.15 Group Home.....	230
150.15.1 General.....	230

150.15.20 Use Requirements	230
150.15.30 Lot Requirements	230
150.15.80 Parking	231
150.20 Crisis Care Shelter.....	231
150.20.1 General.....	231
150.20.20 Use Requirements	231
150.20.30 Lot Requirements	231
150.22 Municipal Shelter	232
150.22.1 General.....	232
150.22.30 Lot Requirements	232
150.25 Rooming House	232
150.25.1 General.....	232
150.25.10 Rooming House Area 'A'	232
150.25.20 Rooming House Area 'B'	233
150.25.30 Rooming House Area 'B1'	234
150.25.40 Rooming House Area 'B2'	234
150.25.50 Rooming House Area 'B3'	234
150.25.120 Rooming House Area 'C'.....	235
150.30 Senior's Community House.....	235
150.30.1 General.....	235
150.30.20 Use Requirements	236
150.30.30 Lot Requirements	236
150.30.40 Building Requirements	236
150.45 Day Nursery	236
150.45.1 General.....	236
150.45.20 Use Requirements	236
150.45.40 Building Requirements	237
150.45.50 Yards	237
150.48 School.....	237
150.48.1 General.....	237
150.48.20 Use Requirements	237
150.48.50 Yards	238
150.48.60 Ancillary Buildings and Structures	238
150.48.150 Waste	239
150.50 Place of Worship.....	239
150.50.1 General.....	239
150.50.20 Use Requirements	239
150.50.40 Building Requirements	239
150.50.50 Yards	240
150.50.80 Parking	240
150.50.150 Waste	240
150.80 Drive-Through.....	241
150.80.1 General.....	241
150.80.20 Use Requirements	241
150.80.40 Building Requirements	241
150.90 Vehicle Dealership.....	241

150.90.1 General.....	241
150.90.20 Use Requirements.....	242
150.92 Vehicle Fuel Station.....	242
150.92.1 General.....	242
150.92.20 Use Requirements.....	242
150.92.30 Lot Requirements.....	242
150.92.40 Building Requirements.....	243
150.92.50 Yards.....	243
150.92.60 Ancillary Buildings and Structures.....	243
150.94 Vehicle Service Shop.....	244
150.94.1 General.....	244
150.94.20 Use Requirements.....	244
150.94.30 Lot Requirements.....	244
150.94.40 Building Requirements.....	244
150.94.50 Yards.....	245
150.96 Vehicle Washing Establishment.....	245
150.96.1 General.....	245
150.96.20 Use Requirements.....	245
150.96.30 Lot Requirements.....	245
150.96.40 Building Requirements.....	246
150.100 Eating Establishment.....	246
150.100.1 General.....	246
150.100.20 Use Requirements.....	246
150.100.30 Lot Requirements.....	247
150.110 Adult Entertainment Establishment.....	247
150.110.1 General.....	247
150.110.30 Lot Requirements.....	247
150.120 Funeral Home.....	247
150.120.1 General.....	247
150.120.30 Lot Requirements.....	247
150.120.50 Yards.....	248
150.120.80 Parking.....	248
150.130 Firing Range.....	248
150.130.1 General.....	248
150.130.20 Use Requirements.....	248
Chapter 200 Parking Space Regulations.....	249
200.5 Regulations applying to Parking Spaces.....	249
200.5.1 General.....	249
200.5.10 Parking Rates.....	251
200.5.200 Parking Exemptions.....	266
200.10 Regulations applying to Visitor Parking Spaces.....	268
200.10.1 General.....	268
200.15 Regulations applying to Accessible Parking Spaces.....	268
200.15.1 General.....	268
200.15.10 Parking Rate.....	269
200.20 Regulations applying to Parking Spaces for Heritage Buildings.....	269

200.20.10 General	269
Chapter 220 Loading Space Regulations	270
220.5 Regulations applying to Loading Spaces	270
220.5.1 General	270
220.5.10 Loading Space Rates	271
220.5.20 Access to Loading Space	273
220.5.200 Loading Exemptions	274
220.20 Regulations applying to Loading Spaces in Heritage Buildings	274
220.20.1 General	274
Chapter 230 Bicycle Parking Space Regulations	275
230.5 General Regulations applying to All Bicycle Parking Spaces	275
230.5.1 General	275
230.5.10 Bicycle Parking Rates All Zones	276
230.10 Residential Zone Category Regulations	280
230.10.1 General	280
230.20 Residential Apartment Zone Category Regulations	280
230.20.1 General	280
230.30 Commercial Zone Category Regulations	281
230.30.1 General	281
230.40 Commercial - Residential Zone Category Regulations	281
230.40.1 General	281
230.50 Commercial Residential Employment Zone Category Regulations	282
230.50.1 General	282
230.60 Employment Zone Category	282
230.60.1 General	282
230.80 Institutional Zone Category Regulations	283
230.80.1 General	283
Chapter 280 Special Districts - Downtown	284
280.5 General Regulations applying to the Downtown	284
280.5.80 Parking	284
280.5.90 Loading	284
Chapter 300 Special Districts - Centres	285
300.5 Regulations Applying to All Centres	285
300.10 North York Centre	285
300.20 Scarborough Centre	285
300.30 Etobicoke Centre	285
Chapter 400 Special Districts - Avenues	285
400.5 General Regulations applying to Special Districts - Avenues	285
400.10 Specific Regulations for Special Districts - Avenues	285
Chapter 500 Special Districts - Heritage	285
500.5 General Regulations applying to Heritage Zones	285
500.10 Zone Regulations	285
Chapter 600 Regulations for Overlay Zones	286
600.5 General Regulations applying to Overlay District	286
Chapter 800 Definitions	287
800.50 Defined Terms	287

Volume 2

Chapter 900 Site Specific Exceptions	301
900.1 General	301
900.1.10 Interpretation.....	301
900.2 R - Zone	302
900.2.1 General.....	302
900.2.10 Exceptions for R Zone.....	302
900.3 RD - Zone	417
900.3.1 General.....	417
900.3.10 Exceptions for RD Zone.....	417
900.4 RS - Zone	770
900.4.1 General.....	770
900.4.10 Exceptions for RS Zone.....	770
900.5 RT - Zone.....	871
900.5.1 General.....	871
900.5.10 Exceptions for RT Zone	871
900.6 RM - Zone.....	941
900.6.1 General.....	941
900.6.10 Exceptions for RM Zone	941
900.7 RA - Zone	1062
900.7.1 General.....	1062
900.7.10 Exceptions for RA Zone.....	1062

Volume 3

900.10 CL - Zone.....	1237
900.10.1 General.....	1237
900.10.10 Exceptions for CL Zone	1237
900.11 CR - Zone	1267
900.11.1 General.....	1267
900.11.10 Exceptions for CR Zone	1267
900.12 CRE - Zone	1619
900.12.1 General.....	1619
900.12.10 Exceptions for CRE Zone.....	1619
900.20 E - Zone	1627
900.20.1 General.....	1627
900.20.10 Exceptions for E Zone.....	1627
900.21 EL - Zone.....	1651
900.21.1 General.....	1651
900.21.10 Exceptions for EL Zone	1651
900.22 EH - Zone	1655
900.22.1 General.....	1656
900.22.10 Exceptions for EH Zone.....	1656
900.23 EC - Zone	1662

900.24 EO - Zone.....	1662
900.24.1 General.....	1662
900.24.10 Exceptions for EO Zone	1662
900.30 I - Zone	1665
900.30.1 General.....	1665
900.30.10 Exceptions for I Zone.....	1665
900.31 IH - Zone.....	1687
900.31.1 General.....	1687
900.31.10 Exceptions for IH Zone.....	1687
900.32 IE - Zone.....	1690
900.32.1 General.....	1690
900.32.10 Exceptions for IE Zone	1690
900.33 IS - Zone.....	1691
900.33.1 General.....	1691
900.34 IPW - Zone	1691
900.34.1 General.....	1691
900.34.10 Exceptions for IPW Zone	1691
900.40 O - Zone	1713
900.40.1 General.....	1713
900.40.10 Exceptions for O Zone.....	1713
900.41 ON - Zone	1717
900.41.1 General.....	1717
900.41.10 Exceptions for ON Zone.....	1717
900.42 OR - Zone	1720
900.42.1 General.....	1720
900.42.10 Exceptions for OR Zone.....	1720
900.43 OG - Zone	1726
900.43.1 General.....	1726
900.43.10 Exceptions for OG Zone.....	1726
900.44 OE - Zone.....	1727
900.45 OC - Zone	1727
900.45.1 General.....	1727
900.45.10 Exceptions for OC Zone.....	1727
900.50 UT - Zone	1729
900.50.1 General.....	1729
900.50.10 Exceptions for UT Zone.....	1729
Chapter 970 Appendices	1732
970.1 General	1732
Chapter 990 Zoning By-law Map	1732
990.1 General	1732
Chapter 995 Overlay Maps.....	1732
995.10 Policy Area Overlay Map	1732
995.10.1 General.....	1732
995.20 Height Overlay Map.....	1732
995.20.1 General.....	1732
995.30 Lot Coverage Overlay Map	1732

995.30.1 General	1732
995.40 Rooming House Overlay Map	1732
995.40.1 General	1732

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 reference 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 By-law 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:

ZONE NAME	ZONE SYMBOL
Residential	R
Residential Detached	RD
Residential Semi-Detached	RS
Residential Townhouse	RT
Residential Multiple	RM

(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 **residential building** types contained within different zones. The zones within this category also contain permissions for **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 **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:

ZONE NAME	ZONE SYMBOL
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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:

ZONE NAME	ZONE SYMBOL
Commercial Local	CL

(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:

ZONE NAME	ZONE SYMBOL
Commercial Residential	CR

(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:

ZONE NAME	ZONE SYMBOL
Commercial Residential Employment	CRE

(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:

ZONE NAME	ZONE SYMBOL
Employment Light Industrial	EL
Employment Industrial	E
Employment Heavy Industrial	EH
Employment Industrial - Office	EO

(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:

ZONE NAME	ZONE SYMBOL
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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:

ZONE NAME	ZONE SYMBOL
Open Space	O
Open Space Natural	ON
Open Space Recreation	OR
Open Space Golf Course	OG
Open Space Marina	OM
Open Space Cemetery	OC

(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:

ZONE NAME	ZONE SYMBOL
Utility and Transportation	UT

(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 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

A **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.

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.

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**.

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:

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)
Retail Store (11)
 Rooming House (12)
Secondary Suite (13)
Seniors Community House (14)
Tourist Home (15)
Transportation Use (16)

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 .

10.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions – RD Zone

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)**

10.20.20.40 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.**

10.20.20.100 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**, in square metres, 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, 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 10.40.40.10 (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**;
- (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
- (ii) 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**.

10.80.40.10 Height

(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

(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

to a **side lot line** than the required **side yard setback**.

(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

Police Station .

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.

(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.

(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.

(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.

(11) Respite Care Facility

In an RA zone, a **respite care facility** must be in combination with a **nursing home** or **retirement home**.

(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**.

(13) Rooming House

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

(14) Secondary Suite

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

(15) Seniors Community House

A **seniors community house** in an RA 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 RA zone and used for a **transportation use** must comply with all requirements in this By-law for a **building** on that **lot**.

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 15.20.20.40.

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)

Home Occupation (9)
 Library (4)
Market Garden (10)
 Medical Office (1)
Municipal Shelter (5)
Nursing Home (11)
 Office (1)
 Outdoor Sales or Display (12)
Performing Arts Studio (1)
Personal Service Shop (1)
Pet Services (1)
Production Studio (1)
Private Home Daycare (13)
Public Utility (19, 20)
Recreation Use (1)
Religious Education Use (1)
Renewable Energy Production (3)
Residential Care Home (8)
Respite Care Facility (14)
Retail Store (1)
Retail Service (1)
Retirement Home (11)
 Rooming House (15)
Secondary Suite (16)
Seniors Community House (17)
Service Shop (1)
Take-out Eating Establishment (1)
Transportation Use (18)
Veterinary Hospital (1)

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**

on the **lot**.

(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

Medical Office
Office
Park
Personal Service Shop
Pet Services
Police Station
Retail Service
Service Shop
Veterinary Hospital .

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 **side 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.

40.5.1.20 Restrictions

(1) Living Accommodation in Ancillary Buildings

In a Commercial Residential Zone category, an **ancillary building** may not be used for living accommodation.

(2) Use Restrictions on Commercial Residential Lots without Street Frontage

If a **lot** in a Commercial Residential Zone category does not front on a **street** and has its only access from a **lane** or private right-of-way that abuts a **lot** in a Residential Zone category or Residential Apartment Zone category, the **lot** may only be for required parking.

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 **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.

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 (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**

(column A)	(column B)
20 metres	32.6 metres
23 metres	36.2 metres
27 metres	41.0 metres
30 metres	44.6 metres
33 metres	48.2 metres
36 metres	51.8 metres

- (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:

Width of street right-of-way	Lot depth
(column A)	(column B)
20 metres	32.6 metres
23 metres	36.2 metres
27 metres	41.0 metres

30 metres	44.6 metres
33 metres	48.2 metres
36 metres	51.8 metres

- (ii)
- (iii) 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

(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**.

50.5.1.20 Restrictions

(1) Use Restrictions on Commercial Residential Employment Lots without Street Frontage

If a **lot** in a Commercial Residential Employment Zone category does not front on a **street** and has its only access from a **lane** or private right-of-way that abuts a **lot** in a Residential Zone category 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

(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)

Pharmaceutical and Medicine Manufacturing (16, 17)
Plastic Product Manufacturing (16,18)
Renewable Energy Production (42)
Wood Product Manufacturing (14)

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 to 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; 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 0.3 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 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.

60.5.1.20 Restrictions

(1) Access to Non-Residential Uses when Adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone Category- Restriction on Sole Access from a Lane or Shared Private Right-of-Way

If a **lot** in the Employment Industrial Zone category does not front on a **street** and has its only access from a **lane** or private right-of-way that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, the **lot** may only be used for parking.

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**.

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.

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.

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**.

(3) 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).

60.5.50 Yards

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 an 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

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 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 Facility (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)

Public Parking (6,10)
Public Utility (15) (16)
Renewable Energy Production (18)
Respite Care Facility (1)
Retail Store (4,11)
Retirement Home (1)
Secondary Suite (21)
Student Residence (1)
Take-out Eating Establishment (4,11)
Transportation Use (17)

(#) The number after the listed use is the condition number reference in Clause 80.20.20.100

80.20.20.100 Conditions

- (1) Nursing Home, Retirement Home, Student Residence, Respite Care Facility
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 major **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.

80.30.30.40 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)

(#) The number after the listed use is the condition number reference in Clause 80.40.20.100

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

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**.

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**.

80.40.50 Yards

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**.

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**.

80.40.60.10 Location

(1) Ancillary Portable Classroom Buildings - Location

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.

90.40.40.70 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
 - (ii) an office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended.
- (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, I Zone or IE 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.

(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 effecting 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 200.5.10.10
PARKING SPACE RATES AND PARKING SPACE OCCUPANCY**

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Adult Education School	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate of 1.0 for each 100 square metres of gross floor area;</p> <p>(B) in Policy Area 4 (PA4) at a minimum rate of 1.5 for each 100 square metres of gross floor area; and</p> <p>(C) in all other areas of the City, at a minimum rate of 2.0 for each 100 square metres of gross floor area.</p>	100%	100%	25%
Adult Entertainment Establishment	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) at a minimum rate of 3.0 for each 100 square metres of gross floor area;</p> <p>(B) in Policy Area 2 (PA2) at a minimum rate of 4.5 for each 100 square metres of gross floor area;</p> <p>(C) in Policy Area 3 (PA3) at a minimum rate of 5.5 for each 100 square metres of gross floor area;</p> <p>(D) in Policy Area 4 (PA4) at a minimum rate of 5.5 for each 100 square metres of gross floor area; and</p> <p>(E) in all other areas of the City, at a minimum rate of 7.0 for each 100 square metres of gross floor area;</p>	25%	100%	100%

AM = 6 a.m. to Noon.
PM = Noon to 6 p.m.
Eve = 6 p.m. to 6 a.m.

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Alternative Housing	Parking spaces must be provided at a minimum rate of 0.1 for each dwelling unit .	100%	100%	100%
Ambulance Depot	Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area .	100%	100%	100%
Amusement Arcade	Parking spaces must be provided at the same rate as a retail store .	25%	100%	100%
Animal Shelter	Parking spaces must be provided: (A) in Policy Area 1 (PA1) at a minimum rate of 0.4 for each 100 square metres of gross floor area and 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 .	100%	100%	100%
Artist Studio	Parking spaces must be provided at the same rate as a retail store .	25%	100%	100%
Art Gallery	Parking spaces must be provided: (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 (B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area .	25%	100%	100%
Assisted Housing	If a dwelling unit is located in an Apartment Building , parking spaces must be provided: (A) in Policy Area 1 (PA1) for each dwelling unit at a minimum rate of (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; (ii) 0.18 for a one bedroom dwelling unit ; (iii) 0.3 for a two bedroom dwelling unit ; and (iv) 0.5 for three bedroom or more dwelling unit ; and (B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4), for each dwelling unit at a minimum rate of: (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; (ii) 0.24 for a one bedroom dwelling unit ; (iii) 0.4 for a two bedroom dwelling unit ; and (iv) 0.75 for three bedroom or more; dwelling unit and (C) in all other areas of the City for each dwelling unit at a minimum rate of: (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; (ii) 0.3 for a one bedroom dwelling unit ; (iii) 0.5 for a two bedroom dwelling unit ; and (iv) 0.9 for three bedroom or more dwelling unit .	100%	100%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Billiard Hall, Pool Hall	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) at a minimum rate of 2.5 for each 100 square metres of gross floor area;</p> <p>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate of 3.5 for each 100 square metres of gross floor area; and</p> <p>(C) in all other areas of the City at a minimum rate of 4.0 for each 100 square metres of gross floor area.</p>	25%	50%	100%
Bowling Alley	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) at a minimum rate of 2.5 for each 100 square metres of gross floor area;</p> <p>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate of 3.5 for each 100 square metres of gross floor area; and</p> <p>(C) in all other areas of the City at a minimum rate of 4.0 for each 100 square metres of gross floor area.</p>	25%	50%	100%
Bus Station	<p>Parking spaces must be provided:</p> <p>(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</p> <p>(B) in all other areas of the City at a minimum rate of 0.2 for each 100 square metres of gross floor area.</p>	100%	100%	50%
Cabaret	Parking spaces must be provided at the same rate as an eating establishment	10%	100%	100%
Cemetery	Parking spaces must be provided at a minimum rate of 2.0 for each 100 square metres of gross floor area .	100%	100%	100%
Clinic, (e.g. Public Health Clinic, Addiction Clinic)	<p>Parking spaces must be provided :</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3):</p> <p>(i) at a minimum rate of 0.4 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 0.8 for each 100 square metres of gross floor area; and</p> <p>(B) in Policy Area 4 (PA4):</p> <p>(i) at a minimum rate of 0.6 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 1.0 for each 100 square metres of gross floor area; and</p> <p>(C) in all other areas of the City, at a minimum rate of 1.0 for each 100 square metres of gross floor area.</p>	100%	100%	100%
Club	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), at a minimum rate of 3.0 for each 100 square metres of gross floor area;</p> <p>(B) in Policy Area 2 (PA2), at a minimum rate of 4.5 for each 100 square metres of gross floor area;</p> <p>(C) in Policy Area 3 (PA3) and Policy Area 4 (PA4), at a minimum rate of 5.5 for each 100 square metres of gross floor area;</p> <p>(D) in all other areas of the City at a minimum rate of 7.0 for each 100 square metres of gross floor area.</p>	25%	75%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Community Centre	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4)::</p> <p>(i) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 1.3 for each 100 square metres of gross floor area; and</p> <p>(B) in all other areas of the City at a minimum rate of 3.0 for each 100 square metres of gross floor area.</p>	25%	100%	100%
Contractor's Establishment	<p>Parking spaces must be provided at a minimum rate of 0.5 for each 100 square metres of gross floor area.</p>	100%	100%	100%
Court of Law	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4):</p> <p>(i) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</p> <p>(B) in all other areas of the City at a minimum rate of 1.0 for each 100 square metres of gross floor area.</p>	100%	100%	0%
Crisis Care Shelter, Municipal Shelter, Residential Care Home	<p>Parking spaces must be provided:</p> <p>(A) at a minimum rate of 0.22 for each 100 square metres of gross floor area; and</p> <p>(B) at a maximum rate of 1.5 for each 100 square metres of gross floor area.</p>	100%	100%	100%
Day Nursery	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4):</p> <p>(i) at a minimum rate of 0.4 for each 100 square metres of gross floor area; and</p> <p>(ii) at a maximum rate of 0.8 for each 100 square metres of gross floor area; and</p> <p>(B) in all other areas of the City at a minimum rate of 1.0 for each 100 square metres of gross floor area.</p>	100%	100%	50%
Dwelling Unit in a Detached House, Semi-detached House, Townhouse, Duplex, Triplex or Fourplex	<p>Parking spaces must be provided at a minimum rate of 1.0 for each dwelling unit.</p>	100%	100%	100%
Dwelling unit in a Multiple Dwelling Unit Buildings - Resident Parking Space	<p>Parking spaces must be provided at a minimum rate of 1.0 for each dwelling unit.</p>	100%	100%	100%
Dwelling unit in a Multiple Dwelling Unit Buildings – Visitor Parking Space	<p>Parking spaces must be provided at a minimum rate of 0.5 for each dwelling unit.</p>	100%	100%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Dwelling unit in an Apartment Building	<p>If a dwelling unit is located in an apartment building, parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1): (i) at a minimum rate of : (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: (b) 0.5 for each one bedroom dwelling unit; (c) 0.8 for each two bedroom dwelling unit; and (d) 1.0 for each three or more bedroom dwelling unit; and (ii) at a maximum rate of: (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: (b) 0.7 for each one bedroom dwelling unit; (c) 1.2 for each two bedroom dwelling unit; and (d) 1.5 for each three or more bedroom dwelling unit; and</p> <p>(B) in Policy Area 2 (PA2) and Policy Area 3 (PA3): (i) at a minimum rate of : (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: (b) 0.7 for each one bedroom dwelling unit; (c) 0.9 for each two bedroom dwelling unit; and (d) 1.0 for each three or more bedroom dwelling unit; and (ii) at a maximum rate of: (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: (b) 1.0 for each one bedroom dwelling unit; (c) 1.3 for each two bedroom dwelling unit; and (d) 1.5 for each three or more bedroom dwelling unit; and</p> <p>(C) in Policy Area 4 (PA4): (i) at a minimum rate of : (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: (b) 0.8 for each one bedroom dwelling unit; (c) 0.9 for each two bedroom dwelling unit; and (d) 1.1 for each three or more bedroom dwelling unit; and (ii) at a maximum rate of: (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: (b) 1.2 for each one bedroom dwelling unit; (c) 1.3 for each two bedroom dwelling unit; and (d) 1.6 for each three or more bedroom dwelling unit; and</p> <p>(D) in all other areas of the City: (i) at a minimum rate of : (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: (b) 0.9 for each one bedroom dwelling unit; (c) 1.0 for each two bedroom dwelling unit; and (d) 1.2 for each three or more bedroom dwelling unit.</p>	100%	100%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
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Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Dwelling unit in an Apartment Building - Visitor Parking	<p>If a dwelling unit is located in an Apartment Building, parking spaces for visitors must be provided:</p> <p>(A) in Policy Area 1 (PA1) at a minimum rate of 0.1 for each dwelling unit; (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.</p>	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	<p>Parking spaces must be provided:</p> <p>(A) in Parking Area 1 (PA1): (i) at a minimum of 0; and (ii) at a maximum rate of 3.5 for each 100 square metres of gross floor area; and (B) in Parking Area 2 (PA2): (i) at a minimum of 0; and (ii) at a maximum rate of 4.0 for each 100 square metres of gross floor area; and (C) in Parking Areas and 3 (PA3) and 4 (PA4) : (i) at a minimum of 0; and (ii) at a maximum rate of 5.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City: (i) where the gross floor area used for an eating establishment in a building is less than 200 square metres no parking space is required; (ii) where the gross floor area used for an eating establishment in a building is 200 square metres or more but less than 500 square metres, parking spaces must be provided at a minimum rate of 3.0 for each 100 square metres of gross floor area; and (iii) where the gross floor area used for an eating establishment in a building is 500 square metres or more, parking spaces must be provided at a minimum rate of 5.0 for each 100 square metres of gross floor area;</p>	100%	100%	100%
Education Use	<p>Parking spaces must be provided:</p> <p>(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.</p>	100%	100%	50%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Entertainment Place of Assembly (includes premises used to provide entertainment, such as a theatre, cinema, opera, concert hall or ballet)	Parking spaces for visitor use must be provided at the a minimum rate of: (A) 5.0 for each 100 square metres of gross floor area in Policy Area 1 (PA1) ; (B) 8.0 for each 100 square metres of gross floor area in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4); and (C) 10.0 for each 100 square metres of gross floor area in all other areas.	25%	50%	100%
Financial Institution	Parking spaces must be provided: (A) in Policy Area 1 (PA1) the following applies: (i) a minimum rate of 2.0 for each 100 square metres of gross floor area ; (ii) a maximum rate of 3.5 for each 100 square metres of gross floor area ; and (B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies: (i) a minimum rate of 2.0 for each 100 square metres of gross floor area ; (ii) a maximum rate of 4.5 for each 100 square metres of gross floor area ; and (C) in all other areas of the City, at a minimum rate of 4.0 for each 100 square metres of gross floor area .	20%	100%	50%
Fire Hall	Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area .	100%	100%	100%
Funeral Home	Parking spaces must be provided: (A) in Policy Area 1 (PA1) and Policy Area 2 (PA2): (i) at a minimum rate of 1.0 for each 100 square metres of gross floor area ; and (ii) at a maximum rate of 4.0 for each 100 square metres of gross floor area ; and (C) in Policy Area 3 (PA3): (i) at a minimum rate of 2.0 for each 100 square metres of gross floor area ; and (ii) at a maximum rate of 5.0 for each 100 square metres of gross floor area ; and (D) in Policy Area 4 (PA4): (i) at a minimum rate of 3.0 for each 100 square metres of gross floor area ; and (ii) at a maximum rate of 6.0 for each 100 square metres of gross floor area ; and (E) in all other areas of the City at a minimum rate of 6.0 for each 100 square metres of gross floor area .	20%	100%	100%
Gaming Establishment	Parking spaces must be provided at a minimum rate of 25.0 for each 100 square metres of gross floor area .	100%	100%	100%
Golf Course	The minimum number of parking space to be provided is the greater of: (A) 24; and (B) 3.5 for each 100 square metres of gross floor area of all buildings.	100%	100%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Grocery Store	<p>Parking spaces must be provided if the gross floor area used for a grocery store is greater than 200 square metres:</p> <p>(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.</p>	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	<p>Parking spaces must be provided :</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at: (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.</p>	20%	100%	100%
Hotel , Motel	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4); (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;</p>	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	<p>Parking spaces must be provided:</p> <p>(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.</p>	100%	100%	0%
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%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Library	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</p> <p>(B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area.</p>	25%	100%	100%
Manufacturing Uses	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4), at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</p> <p>(B) in all other areas of the City, at a minimum rate of 1.0 for each 100 square metres of gross floor area.</p>	100%	100%	100%
Medical Office	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) the following applies: (i) a minimum rate of 0.3 for each 100 square metres of gross floor area; (ii) a maximum rate of 3.0 for each 100 square metres of gross floor area; and</p> <p>(B) in Policy Area 2 (PA2) : (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) a maximum rate of 3.5 for each 100 square metres of gross floor area; and</p> <p>(C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies: (i) a minimum rate of 1.5 for each 100 square metres of gross floor area; (ii) a maximum rate of 6.0 for each 100 square metres of gross floor area; and</p> <p>(D) in all other areas of the City, at a minimum rate of 3.0 for each 100 square metres of gross floor area.</p>	100%	100%	50%
Museum	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</p> <p>(B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area.</p>	25%	100%	100%
Nightclub	<p>Parking spaces must be provided at the minimum rate of:</p> <p>(A) 3.0 for each 100 square metres for gross floor area in Policy Area 1 (PA1) ;</p> <p>(B) 4.5 for each 100 square metres for gross floor area in Policy Area 2 (PA2);</p> <p>(C) 5.5 for each 100 square metres for gross floor area in Policy Area 3 (PA3) and Policy Area 4 (PA4); and</p> <p>(D) 7.0 for each 100 square metres for gross floor area in all other areas of the City.</p>	20%	50%	100%
Nursing Home, Retirement Home (such as: Home for the Aged and Convalescent Home)	<p>Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room</p>	100%	100%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Office (excluding Medical office)	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) the following applies: (i) a minimum rate of 0.35 for each 100 square metres of gross floor area; (ii) a maximum rate of 0.8 for each 100 square metres of gross floor area; and (B) in Policy Area 2 (PA2) : (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) a maximum rate 1.4 for each 100 square metres of gross floor area; and (C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies: (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) a maximum rate of 2.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City, at a minimum rate of 1.5 for each 100 square metres of gross floor area.</p>	100%	60%	0%
Park	<p>Parking spaces must be provided:</p> <p>(A) for a building containing a recreation use and located in the OR zone: (i) at a minimum 0.25 for each 100 square metres of gross floor area if it is located in Policy Areas 1 through 4; and (ii) at a minimum rate of 1.0 for each 100 square metres of gross floor area if not located in Policy Areas 1 through 4. (B) for an arena located in the OR zone at a minimum rate of 3.0 for each 100 square metres of gross floor area.</p>	100%	100%	100%
Performing Arts Studio	<p>Parking spaces must be provided:</p> <p>(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 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.</p>	10%	100%	100%
Personal Service Shop	<p>Parking spaces must be provided if the gross floor area used for a personal service shop is greater than 200 square metres:</p> <p>(A) in Policy Area 1 (PA1) at a: (i) minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) maximum rate of 3.5 for each 100 square metres of gross floor area; (B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a: (i) minimum rate of 1.0 for each 100 square metres of gross floor area; (ii) maximum rate of 4.0 for each 100 square metres of gross floor area; and (C) in all other areas of the City at a minimum rate of 1.5 for each 100 square metres of gross floor area; and (D) if the gross floor area is 200 square metres or less, no parking space is required.</p>	20%	100%	100%
Pet Services	<p>Parking spaces must be provided at the same rate as a retail store.</p>	20%	100%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Place of Assembly (premises used for social, cultural, educational or trade events, such as a banquet hall or a convention or trade centre)	Parking spaces must be provided at the minimum rate of: (A) 3.0 for each 100 square metres for gross floor area in Policy Area 1 (PA1) ; (B) 4.5 for each 100 square metres for gross floor area in Policy Area 2 (PA2); (C) 5.5 for each 100 square metres for gross floor area in Policy Area 3 (PA3) and Policy Area 4 (PA4); and (D) 7.0 for each 100 square metres for gross floor area in all other areas of the City.	25%	50%	100%
Place of Worship	Parking spaces must be provided at the greater of : (A) if there is permanent or fixed seating in a Place of Worship then: (i) if located in Policy Area 1 (PA1): (a) a minimum rate of 9.0 for each 100 square metres of worship area; and (b) a maximum rate of 18.0 for each 100 square metres of worship area; and (ii) if located in Policy Area 2 (PA2): (a) a minimum rate of 15.0 for each 100 square metres of worship area; and (b) a maximum rate of 23.0 for each 100 square metres of worship area; and (iii) if located in Policy Area 3 (PA3) or Policy Area 4 (PA4): (a) a minimum rate of 18.0 for each 100 square metres of worship area; and (b) a maximum rate of 29.0 for each 100 square metres of worship area; and (iv) at a minimum rate of 23.0 for each 100 square metres of worship area if located in any other area of the City; (B) if there is no seating or variable seating in a Place of Worship then: (i) if located in Policy Area 1 (PA1): (a) a minimum rate of 13.0 for each 100 square metres of worship area; and (b) a maximum rate of 26.0 for each 100 square metres of worship area; and (ii) if located in Policy Area 2 (PA2): (a) a minimum rate of 22.0 for each 100 square metres of worship area; and (b) a maximum rate of 34.0 for each 100 square metres of worship area; and (iii) if located in Policy Area 3 and Policy Area 4 (PA4): (a) a minimum rate of 26.0 for each 100 square metres of worship area; and (b) a maximum rate of 43.0 for each 100 square metres of worship area; and (iv) at a minimum rate of 34.0 for each 100 square metres of worship area if located in any other area of the City; or (C) the minimum parking rate for any ancillary uses in the place of worship building or on the lot.	100%	100%	100%
Police Station	Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area .	100%	100%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Post Secondary School (College and University)	Parking spaces must be provided at a minimum rate of: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3), 0.1 for each 100 square metres of gross floor area ; (B) in Policy Area 4 (PA4), 1.0 for each 100 square metres of gross floor area ; and (C) in all other areas of the City, 2.0 for each 100 square metres of gross floor area .	50%	100%	50%
Production Studio	Parking spaces must be provided: (A) in Policy Area 1 (PA1) the following applies: (i) a minimum rate of 0.35 for each 100 square metres of gross floor area ; (ii) a maximum rate of 0.8 for each 100 square metres of gross floor area ; and (B) in Policy Area 2 (PA2) : (i) a minimum rate of 1.0 for each 100 square metres of gross floor area ; (ii) a maximum rate 1.4 for each 100 square metres of gross floor area ; and (C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) the following applies: (i) a minimum rate of 1.0 for each 100 square metres of gross floor area ; (ii) a maximum rate of 2.0 for each 100 square metres of gross floor area ; and (D) in all other areas of the City, at a minimum rate of 1.5 for each 100 square metres of gross floor area .	100%	60%	0%
Public Schools, Private Schools	Parking spaces must be provided: (A) in Policy Area 1 (PA1), (i) at a minimum rate of 0.15 for each 100 square metres of gross floor area ; and (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 Policy Area 3 (PA3) (i) at a minimum rate of 0.5 for each 100 square metres of gross floor area ; and (ii) at a maximum rate of 1.0 for each 100 square metres of gross floor area ; and (C) in Policy Area 4 (PA4), (i) at a minimum rate of 1.0 for each 100 square metres of gross floor area ; and (ii) at a maximum rate of 2.0 for each 100 square metres of gross floor area ; and (D) in all other areas of the City, at a minimum rate of 1.5 for each 100 square metres of gross floor area .	100%	100%	20%
Railway Service and Repair Yard; Railway Station	Parking spaces must be provided at a minimum rate of 0.1 per 100 square metres of gross floor area .	100%	100%	50%
Recreation Use	Parking spaces must be provided: (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 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 .	25%	100%	100%

AM = 6 a.m. to Noon.
 PM = Noon to 6 p.m.
 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Religious Education Use	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), (i) at a minimum rate of 0.15 for each 100 square metres of gross floor area; and (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 Policy Area 3 (PA3) (i) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 1.0 for each 100 square metres of gross floor area; and (C) in Policy Area 4 (PA4), (i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and (ii) at a maximum rate of 2.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City, at a minimum rate of 1.5 for each 100 square metres of gross floor area.</p>	100%	100%	20%
Religious Residence	Parking spaces must be provided at a minimum rate of 1.0 for each 10 bed sitting rooms or dwelling units .	100%	100%	100%
Respite Care Facility	Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room	100%	100%	100%
Retail Store	<p>Parking spaces must be provided:</p> <p>(A) if the gross floor area is more than 200 square metres: (i) in Policy Area 1 (PA1) at a: (a) minimum of 1.0 for each 100 square metres of gross floor area; (b) maximum of 3.5 for each 100 square metres of gross floor area; (ii) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at: (a) minimum of 1.0 for each 100 square metres of gross floor area; (b) maximum of 4.0 for each 100 square metres of gross floor area; (iii) in all other areas of the City: (a) if the gross floor area used for a retail store in a building is more than 200 square metres and less than 10,000 square metres, at a minimum rate of 1.5 for each 100 square metres of gross floor area; (b) if the gross floor area used for a retail store in a building is 10,000 square metres or more but less than 20,000 square metres, at a minimum rate of 3.0 for each 100 square metres of gross floor area; and (c) if the gross floor area used for a retail store in a building is 20,000 square metres or more, at a minimum rate of 6.0 for each 100 square metres of gross floor area; and (B) if the gross floor area is 200 square metres or less, no parking space is required.</p>	20%	100%	100%
Retail Service	Parking spaces must be provided at the same rate as a retail store .	100%	100%	20%
Secondary Suite	Parking spaces must be provided at a minimum rate of 1.0 per secondary suite.	100%	100%	100%
Seniors Community House	Parking spaces must be provided at a minimum rate of 1.0 per building.			

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 Eve = 6 p.m. to 6 a.m.

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Service Shop	<p>Parking spaces must be provided:</p> <p>(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.</p>	100%	100%	100%
Software Development and Processing	Parking spaces must be provided at the same rate as an office	100%	100%	10%
Vehicle Dealership, Vehicle Rental/Leasing	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4): (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.</p>	100%	100%	100%
Vehicle Depot, Cartage, Express or Truck Transport Yard or Terminal	<p>Parking spaces must be provided:</p> <p>(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.</p>	100%	100%	50%
Vehicle Fuel Station;	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate of 2.5 for each 100 square metres of gross floor area; (B) in Policy Area 4 (PA4) at a minimum rate of 3.0 for each 100 square metres of gross floor area; and (C) in all other areas of the City at a minimum rate of 3.5 for each 100 square metres of gross floor area.</p>	100%	100%	100%
Vehicle Service Shop;	Parking spaces must be provided at a minimum rate of 3.5 for each 100 square metres of gross floor area .	100%	100%	100%
Vehicle Repair Shop	Parking spaces must be provided at a minimum rate of 3.5 for each 100 square metres of gross floor area .	100%	100%	100%
Veterinary Hospital	<p>Parking spaces must be provided:</p> <p>(A) in Policy Area 1 (PA1) at a minimum rate of 0.4 for each 100 square metres of gross floor area and 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.</p>	100%	100%	100%
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%

Land Use	Parking Rate	Parking Occupancy Rate		
		AM	PM	Eve
Warehouse	Parking spaces must be provided: (A) for an industrial warehouse at a minimum rate of: (i) 1.0 for each 100 square metres of gross floor area up to 2750 square metres; plus (ii) 0.5 for each 100 square metres of gross floor area in excess of 2750 square metres.	100%	100%	50%
Warehouse, Self Storage	Parking spaces must be provided: (A) for a self storage warehouse at a minimum rate of 0.6 for each 100 square metres of gross floor area .	100%	100%	50%
Wholesaling Use	Parking spaces must be provided at the same rate as a retail store .	100%	100%	50%

AM = 6 a.m. to Noon.
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Eve = 6 p.m. to 6 a.m.

(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:

Number of Units	Minimum Number of Loading Spaces Required
0 to 30 dwelling units	None required
31 to 399 dwelling units	1 - Type G
400 dwelling units or more	1 - Type G and 1 - Type C

(3) Loading Space Requirements - Retail Store, Eating Establishment, or Personal Service Shop

A **retail store, eating establishment, or personal service shop** must provide **loading spaces** as follows:

Gross Floor Area	Minimum Number of Loading Spaces Required
0 to 499 m ²	None required
500 to 1,999 m ²	1 Type B
2,000 to 4,999 m ²	2 Type B
5,000 to 9,999 m ²	3 Type B
10,000 to 19,999 m ²	1 Type A and 3 Type B
20,000 to 29,999 m ²	1 Type A, 3 Type B and 1 Type C
30,000 m ² or greater	1 Type A, 3 Type B and 1 Type C

(4) Loading Space Requirements - Grocery stores/supermarket

A grocery stores/supermarket must provide **loading spaces** as follows:

Gross Floor Area	Minimum Number of Loading Spaces Required
0 to 499 m ²	None required
500 to 999 m ²	1 Type B
1,000 to 1,999 m ²	1 Type A
2,000 to 4,999 m ²	1 Type A and 1 Type B
5,000 to 9,999 m ²	1 Type A and 2 Type B
10,000 to 19,999 m ²	2 Type A and 2 Type B
20,000m ² and greater	2 Type A and 3 Type B

(5) Loading Space Requirements - Office

An office must provide **loading spaces** as follows:

Gross Floor Area	Minimum Number of Loading Spaces Required
0 to 499 m ²	None required
500 to 999 m ²	1 Type B
1,000 to 1,999 m ²	1 Type B and 1 Type C
2,000 to 3,999 m ²	1 Type B and 2 Type C
4,000 to 27,999 m ²	2 Type B and 2 Type C
28,000 to 51,999 m ²	2 Type B and 3 Type C
52,000 m ² or greater	A minimum of 2 Type B and 3 Type C

(6) Loading Space Requirements - Hotel

A **hotel** must provide **loading spaces** as follows:

Gross Floor Area	Minimum Number of Loading Spaces Required
0 to 4,999 m ²	1 Type B
5,000 to 9,999 m ²	1 Type B and 1 Type C
10,000 to 19,999 m ²	2 Type B and 1 Type C
20,000 to 49,999 m ²	2 Type B and 2 Type C
50,000 m ² or greater	A minimum of 1 Type A, 1 Type B and 2 Type C

(7) Loading Space Requirements - Manufacturing or Warehouse Use

A manufacturing or **warehouse** use must provide **loading spaces** as follows:

Gross Floor Area	Minimum Number of Loading Spaces Required
0 to 99 m ²	None
100 to 499 m ²	1 Type C
500 to 999 m ²	1 Type B
1,000 to 4,999 m ²	1 Type A
5,000 to 9,999 m ²	2 Type A
10,000 to 14,999 m ²	3 Type A
15,000 m ² or greater	a minimum of 3 Type A

(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 space** 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 220.5.1.10 (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** it 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** it 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 provide 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 provide in accordance with Table 230.25.10.1(3).

Table 230.25.10.1(3)

Use	Bicycle Parking Space Rates	
	Short-Term Bicycle Parking Spaces	Long-Term Bicycle Parking Spaces
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	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

	<p>education use, if the lot is in Bicycle Zone 1; and</p> <p>(ii) 3, plus 0.06 bicycle parking spaces for each 100 square metres of interior floor area used for a education use, if the lot is in Bicycle Zone 2; and</p>	<p>Zone 1; and</p> <p>(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.</p>
OFFICE	<p>the minimum number of short-term bicycle parking spaces to be provided is:</p> <p>(i) 3, plus 0.2 bicycle parking spaces for each 100 square metres of interior floor area used for an office, other than a medical office, if the lot is in Bicycle Zone 1; and</p> <p>(ii) 3, plus 0.15 bicycle parking spaces for each 100 square metres of interior floor area used for an office, other than a medical office, if the lot is in Bicycle Zone 2; and</p>	<p>the minimum number of long-term bicycle parking spaces to be provided is:</p> <p>(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</p> <p>(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.</p>
MEDICAL OFFICE	<p>the minimum number of short-term bicycle parking spaces to be provided is:</p> <p>(i) 3, plus 0.15 bicycle parking spaces for each 100 square metres of interior floor area used for a medical office, if the lot is in Bicycle Zone 1; and</p> <p>(ii) 3, plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for a medical office, if the lot is in Bicycle Zone 2; and</p>	<p>the minimum number of long-term bicycle parking spaces to be provided is:</p> <p>(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</p> <p>(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.</p>
Municipal Shelter		<p>the minimum number of long-term bicycle parking spaces to be provided is 2</p>
Crisis Care Facility		<p>the minimum number of long-term bicycle parking spaces to be provided is 2</p>
PUBLIC SCHOOL, PRIVATE SCHOOL	<p>the minimum number of short-term bicycle parking spaces to be provided is:</p> <p>(i) 3, plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for a public school or private school, if the lot is in Bicycle Zone 1; and</p> <p>(ii) 3, plus 0.06 bicycle parking spaces for each 100 square metres of interior floor area used for a public school or private school, if the lot is in Bicycle Zone 2; and</p>	<p>the minimum number of long-term bicycle parking spaces to be provided is:</p> <p>(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</p> <p>(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.</p>
POST-SECONDARY SCHOOLS	<p>the minimum number of short-term bicycle parking spaces is:</p> <p>(i) 3, plus 2.0 bicycle parking</p>	<p>the minimum number of long-term bicycle parking spaces to be provided is:</p>

	spaces for each 100 square metres of interior floor area used for a post-secondary school , if the lot is in Bicycle Zone 1; and (ii) 3, plus 2.0 bicycle parking spaces for each 100 square metres of interior floor area used for a post-secondary school , if the lot is in Bicycle Zone 2; and	(i) 2.0 for each 100 square metres of interior floor area used for a post-secondary school , if the lot is in Bicycle Zone 1; and (ii) 0.6 for each 100 square metres of interior floor area used for a post-secondary school , if the lot is in Bicycle Zone 2.
HOSPITAL	If a lot contains a hospital then: (A) the minimum number of short-term bicycle parking spaces is: (i) 3, plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for a hospital , if the lot is in Bicycle Zone 1; and (ii) 3, plus 0.06 bicycle parking spaces for each 100 square metres of interior floor area used for a hospital , if the lot is in Bicycle Zone 2; 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 a hospital , if the lot is in Bicycle Zone 1; and (ii) 0.06 for each 100 square metres of interior floor area used for a hospital , if the lot is in Bicycle Zone 2.

(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 1 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

230.10.1.20 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

230.20.1.20 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

- (C) in a storage locker.
- (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)

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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

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); 8786 (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.
- (345) 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.