Office Consolidation

CITY OF TORONTO - Zoning By-law

BY-LAW NO 569-2013

Last Updated: January 1, 2019

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OMB File: PL130592
This office consolidation includes all OMB decisions of to this date.
Those portions of the By-law that are shaded yellow remain under appeal to the
Ontario Municipal Board and are not in full force and effect.

Those portions of the text highlighted in a yellowish or blue tone are Council enacted
amendments not yet in full force or under appeal

Part 1 of 3
ORIGINALLY ENACTED BY CITY COUNCIL May 9, 2013
Zoning By-law Amendments enacted by City of Toronto Council or the Ontario Municipal Board / Local Planning Appeal Tribunal but not yet incorporated into By-law 569-2013:

718-2014
113-2015 (OMB)
801-2015
1043-2015
1304-2015
1356-2015
1358-2015
105-2016
218-2016
225-2016
292-2016
758-2016
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1268-2017
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<td>900.34</td>
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<td>900.40</td>
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<td>General</td>
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Chapter 1 Administration

1.5 General

1.5.1 Title

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

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

1.5.2 Purpose and Intent of this By-law

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

1.5.3 Licenses, Permits and Other By-laws

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

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(1) Former General Zoning By-laws are not Repealed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 and reference purposes;
(B) references within square brackets are included for convenience and reference purposes;
(C) a drawing or other visual representation that is labelled as an "Illustration" is included for convenience and reference purposes; and
(D) margin notes that give information, clarify intention, provide examples or information, or refer to legislation or other by-laws or to other parts of this By-law are included for convenience and references purposes.

1.5.10 Severability of this By-law

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

1.20 Interpretation

1.20.1 By-law Structure

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

(2) Numbering of Regulations
Articles or Clauses may be divided further into bracketed divisions known as Regulations with the following structure:
(25) [bracketed numeral]
(A) [bracketed upper-case letter]
   (i) [bracketed lower-case Roman numeral]
   (a) [bracketed lower-case letter]

(3) 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 regulations 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;
   (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, 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 Regulations for Each Zone**
General regulations that apply to all zones or 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 reference to a zone includes its zone name, zone symbol, or zone label.

(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 of 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 Zone Labels
The zone symbol on the Zoning By-law Map may be followed by components outlined in the "Interpretation" Section of each Chapter. The zone symbol and components are collectively referred to as the zone label.

(2) Zone Labels 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 label with one of the zone symbols listed in Section 1.40.

(3) Site Specific Exceptions
If a zone label on the Zoning By-law Map has round brackets ( ) with 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 by the exception in the zone label as described in regulation 1.20.3(3).

(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 within an area depicted on the Overlay Map.

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

1.40.10 Residential Zone Category

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

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

(2) Purpose of the Residential Zone Category
The Residential Zone category permits uses associated with the Neighbourhoods designation in the Official Plan. This zone category includes a range of residential building types in different zones. The zones within this category also include permission for parks and 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:

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

(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 includes apartment buildings, parks, local institutions and small scale retail.

(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 areas for **apartment buildings** with local institutions and small scale retail.

### 1.40.30 Commercial Zone Category

1. Commercial Zones  
The zones in the Commercial Zone category are:

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

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

3. Purpose of the Zones in the Commercial Zone Category  
The purpose of each zone in the Commercial Zone category is as follows:

   (A) Commercial Local (CL)  
The purpose of the CL zone is to provide areas for small-scale commercial uses to serve the needs of the local residential area.

### 1.40.40 Commercial Residential Zone Category

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

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

2. Purpose of the Commercial Residential Zone Category  
The Commercial Residential Zone category permits uses associated with the Mixed Use designation in the Official Plan. This zone category includes 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 permitted maximum height for a *building*, required minimum and permitted maximum *building setbacks*, and *angular planes*, based on the different physical contexts found in the downtown, *main-streets* and 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 includes a mix of commercial, residential, light industrial and institutional uses, as well as parks.

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

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

(A) Commercial Residential Employment (CRE)

The purpose of the CRE zone is to provide areas for a range of retail, service commercial, office, residential and limited industrial uses in single and multiple use buildings.

### 1.40.60 Employment Industrial Zone Category

(1) **Employment Industrial Zones**

The zones in the Employment Industrial Zone category are:

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

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

The Employment Industrial Zone category permits uses associated with the Employment Areas designation in the Official Plan. This zone category includes a variety of manufacturing, warehousing, distribution and office uses within different zones. Some zones have permissions for parks, hotels, 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 uses that co-exist in close proximity to sensitive land uses, such as residential and open space.

(B) Employment Industrial (E)

The purpose of the E zone is to provide areas for general manufacturing, industrial and other employment uses that co-exist in relatively close proximity to other manufacturing and industrial 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 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
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 includes major educational, health, and government uses within different zones. Some zones may have cultural and institutional uses and institutional residences.

(3) 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 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 the IE zone is to provide areas for post-secondary schools and associated uses in a campus setting.

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

(E) Institutional Place of Worship (IPW)
The purpose of the 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 includes parks, recreational, cultural and educational uses, as well as the conservation of lands. Some zones include permissions for golf courses, marinas and cemeteries, together with limited retail and commercial service uses.

(3) 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.
(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 recreational 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, recreational 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, recreational uses and facilities.

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

1.40.100 Utility and Transportation Zone Category

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

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

(2) Purpose of the Utility and Transportation Zone Category
The Utilities and Transportation Zone category permits uses associated with the Utility Corridors designation in the Official Plan. This zone category includes public utilities, transportation uses and recreational 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 (UT)
The purpose of the Utility and Transportation zone is to provide areas for public utilities, transportation uses, horticultural and outdoor recreational 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 required minimum lot frontage, required minimum lot depth, required minimum lot area or required minimum 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 or lot area, that is at least 85% of the required minimum lot frontage, required minimum lot depth or required minimum lot area for the zone in which the lot is located; or
      (ii) creates a building setback that is at least 75% of the required minimum building setback for the zone in which the lot is located;
   (B) reduces the permitted maximum number of dwelling units or the permitted maximum gross floor area on a lot, the number of dwelling units or the gross floor area on the lot is the permitted maximum number of dwelling units or the permitted maximum gross floor area that was permitted on the lot on the day before the conveyance, dedication or expropriation; and  [By-law: 0559-2014 (OMB PL130592)]
   (C) causes 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 that building and permitted uses that were on the lot on the day before the conveyance, dedication or expropriation.
   (D) reduces the area of a lot so as to cause:
      (i) a lawfully existing building on a lot to exceed the permitted maximum lot coverage, the permitted maximum lot coverage on that lot is the lot coverage on the lot on the day of the conveyance, dedication or expropriation; or
      (ii) a vacant lot to have a smaller lot area, the permitted maximum lot coverage for that vacant lot is based upon the lawful lot area of that vacant lot on the day before the conveyance, dedication or expropriation.  [By-law: 0559-2014 (OMB PL130592)]

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 in Clause 2.1.3.7, any finally approved minor variances 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 in the Former General Zoning By-laws.
(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) and (2) in the context of this By-law.

2.1.3 Transition Clauses

2.1.3.1 Transition Clause General

(1) Transition Clause General
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

2.1.3.2 Transition: Building Permit Applications

(1) Building Permit Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

(2) Building Permit Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

2.1.3.3 Transition: Zoning Certificate Applications

(1) Zoning Certificate Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

(2) Zoning Certificate Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

(3) Zoning Certificate Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

2.1.3.4 Transition: Minor Variance Applications

(1) Transition: Minor Variance Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

(2) Minor Variance Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

(3) Minor Variance Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

2.1.3.5 Transition: Site Plan Approval Applications

(1) Site Plan Approval Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

(2) Site Plan Approval Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]

(3) Site Plan Approval Applications
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [By-law: 569-2013]
2.1.3.6 Transition: Other Approvals and Agreements

(1) **Other Approvals and Agreements**  
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(2) **Other Approvals and Agreements**  
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

(3) **Other Approvals and Agreements**  
Deleted in accordance with Regulation 2.1.3.8, May 9, 2018. [ By-law: 569-2013 ]

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 building 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) **Transition Clause Repeal**  
Clauses 2.1.3.1 to 2.1.3.6 are repealed five years after May 9, 2013. [OMB PL130592 Sept 13,2016]

[ By-law: OMB PL130592 Sept 13,2016 ]
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 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 which apply 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 use as being a permitted use with conditions, and the condition requires compliance with the specific use regulations in Chapter 150, the specific use must comply with the regulations for the zone in which it is located and the regulations in Chapter 150.

(4) Substantial Demolition
A building is not lawfully existing if 50% or more of the main walls of the first storey, or above, are removed or replaced.

5.10.1.30 Restrictions

(1) Use of Unzoned lands
Lands that are on the Zoning By-law Map 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 have 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 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 a lot separated from a street by a 0.3 metre reserve where vehicle 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 Lot 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 Lot Coverage

(1) Ramp or Elevating Device Providing Barrier Free Access
A pedestrian 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 noncompliance.

(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 there is no increase in the noncompliance; and the restoration or repair will not alter the location of any part of the building or structure unless it is authorized 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 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 its 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 permitted 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, if the floor space index resulting from those lawfully existing buildings or structures is not increased.

5.10.40.70 Setbacks

(1) Compliance with Required Building Setback

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

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

Building setback requirements apply only to all parts of a building or structure above ground. [ By-law: OMB PL130592 ]

(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 minimum building setbacks are measured from the lot lines forming the boundary of the combined lots to the 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 required minimum building setbacks for a building on the lot, unless:

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

(5) Rear Yard Building Setback for Triangular Shaped Lots

If a lot fronts on a street and has no rear lot line, the rear yard required minimum building 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 on that lot 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 closer to a shoreline hazard limit or stable top-of-bank than the required minimum building setback, that lawfully existing building or structure is permitted in that location, and regulation 5.10.40.70(6) 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 on a lot may be no closer than 10 metres from a shoreline hazard limit or a stable top-of-bank not on that lot, 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 pedestrian access ramp or exterior elevating device that provides "barrier-free" access from the ground to the first floor of the building, is landscaping.

5.10.60 Ancillary Buildings and Structures

5.10.60.1 General

(1) 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.
(2) **Satellite Dish Not Mounted on a Building**

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

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

(B) may be no 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 3.0 metres or more from the **building**, half the height of the **structure**; or

(iii) if it is less than 3.0 metres from the **building**, the required minimum **building setback**; and

(C) if on a **lot** that is adjacent to a **lot** in the Residential Zone category, the permitted maximum height of the satellite dish is 5.0 metres, measured from the ground at its base to the top of its uppermost element.

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

If a satellite dish is mounted on the roof of a **building**, it may be no closer to any **main wall** than the distance equal to the largest radius of the satellite dish.

(4) **Satellite Dish on a Building but Not the Roof**

If a satellite dish is located on a **building** other than on the roof, it must comply with the required minimum **building setbacks**.

### 5.10.75 Energy Regulations

#### 5.10.75.1 General

(1) **Meaning of Distribution**

For the purpose of the Clause 5.10.75.1, the term "distribution" means the delivery of energy derived from **renewable energy** or **cogeneration energy**, to a distribution network connected to the **lot**.

(2) **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, as amended, which is designated by regulation 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 under the Green Energy Act, 2009, S.O. 2009, Chapter 12 Schedule A, as amended, and for which the Green Energy Act stipulates that restrictions established by a Municipal by-law are inoperative.

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

10.5.20 Permitted Uses

10.5.20.1 General

(1) Lawfully Existing Public School, Private 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 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 Section 150.48 and the requirements for the zone in which the lot is located.

10.5.30 Lot Requirements

10.5.30.1 General

(1) Lot Requirements
Additional lot requirements are 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 minimum lot area for that lawfully existing lot.
(2) Additions to Lawfully Existing Buildings

In the Residential Zone category, an 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 regulations of this By-law or be authorized by a Section 45 Planning Act minor variance.

(3) Vacant Lawfully Existing Lot

In the Residential Zone category, 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 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 regulations 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 of 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 that is permitted to encroach into a required minimum building setback in Clause 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 minimum building setback, and any roof, canopy, awning or similar structure above the platform, 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
10.5.30.41 Lot Coverage Exemptions

(1) Permitted Lot Coverage for Lawfully Existing Buildings
In the Residential Zone category, if the portion of a lot covered by lawfully existing buildings or structures is greater than the permitted maximum lot coverage, the lawful portion of the lot covered by those lawfully existing buildings or structures is the maximum 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 regulations 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) Building Requirements
Additional building requirements are 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 of Specific Structures on a Building
In the Residential Zone category, the following structures 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 of Elements for Functional Operation of a Building
In the Residential 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, subject to regulation 10.5.40.10(4):
   (A) equipment used for the functional operation of the building, such as electrical, utility, mechanical and ventilation equipment, except that skylights may only exceed the height by 1.0 metres; [ By-law: PL130592 Mar_2018 ]
   (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 permitted maximum height for a building in regulation 10.5.40.10(3), must comply with the following:
(A) their total area may cover no more than 30% of the area of the roof, measured horizontally; and
(B) if they 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; and [By-law: 1676-2013]

(5) First Floor Location Requirement
(deleted by OMB Order, March 1, 2018 - PL 130592) [By-law: PL130592 Mar_2018]

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 for a building, that lawful height is the 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 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 constructed to the 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 the permitted maximum height for each respective pair of the following main walls, that lawful height is the maximum height for the exterior portion of the respective pair of main walls for that lawfully existing building or structure:

(A) the front and rear main walls; or
(B) the side main walls.

(5) Additions to Lawfully Existing Buildings - Height of Main Walls
Any new 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 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 is greater than the permitted maximum height of a first floor, that lawful first floor height is the maximum height for the first floor above established grade for that lawfully existing building.

(7) Additions to Lawfully Existing Buildings - Height of the First Floor Above Established Grade
Any addition or extension to a lawfully existing building referred to in regulation 10.5.40.11(6) may have a first floor above established grade up to the 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-ground, 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 minimum 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 is greater than the permitted maximum building length, that lawful building length is the maximum building length for that lawfully existing building.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building referred to in regulation 10.5.40.21(1) must comply with all other regulations 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-ground, 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 minimum 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 is greater than the permitted maximum building depth, that lawful building depth is the maximum building depth for that lawfully existing building.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building referred to in regulation 10.5.40.31(1) must comply with all other regulations 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 the portion of the floor area in an attic that has a vertical clearance of more than 1.4 metres between the ceiling joists and the roof rafters, if at least 80% of the area has:
   (A) a vertical clearance of more than 2.0 metres; and
   (B) an area of at least 10.0 square metres. [ By-law: PL130592 Mar_2018 ]

(2) Exclusion of Certain Floor Area in an Attic
If the floor area meets the conditions of regulation 10.5.40.40(1) and the area or portion of the area is used for mechanical equipment for the functional operation of the building, that area is not included in the gross floor area of the building if it is not more than 5% of the permitted maximum gross floor area of the building to a maximum of 20 square metres. [ By-law: PL130592 Mar_2018 ]

(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; [ By-law: PL130592 Mar_2018 ]
   (B) the area of a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum gross floor area for the building;
   (C) the area of required parking spaces in the building; and
(D) in addition to (C) above, the area used for one additional parking space in a detached house on a lot with a lot frontage of more than 12.0 metres.

(4) **Gross Floor Area Calculations for an Apartment Building**
In the Residential Zone category, the gross floor area of an apartment building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below established grade;
(B) required loading spaces and required bicycle parking spaces at or above established grade;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change 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 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) for a non-residential building, 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 permitted maximum floor space index, the lawful floor space index resulting from those lawfully existing buildings on that lot is the maximum 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 required minimum building setbacks 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, may be no higher than 0.2 metres above the level of the floor of the storey from which it gains access.

[ By-law: PL130592 Mar_2018 ]

(4) **Platforms at or Below the First 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, permitted in accordance with (2) above and located at or below the first storey of a residential building other than an apartment building, may
be no higher than 1.2 metres above the ground at any point below the platform, except where the platform is attached to or within 0.3 metres of:

(A) a **front wall**, the floor of the platform may be no higher than 1.2 metres above **established grade**;

(B) a **side main wall**, the floor of the platform may be no higher than the level of the floor from which it gains access; and

(C) a **rear main wall**, any part of the platform floor located 2.5 metres or less from the rear **main wall** may be no higher than the level of the floor from which it gains access [By-law: PL130592 Mar_2018]

### 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**, are subject to the following:

(A) in a **front yard**, a platform with a floor no higher than the first **storey** 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 **storey** 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 **storey** 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 the ground at the side of the platform;

(D) in a **rear yard**, a platform with a floor higher than the first **storey** 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** plus the vertical distance between the **first floor** of the **building** and the average elevation of the ground along the building’s rear **main wall**;

(E) in a **side yard**, a platform with a floor no higher than the first **storey** of the **building** above **established grade** may encroach into the required minimum **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 **storey** of the **building** above **established grade**:

   (i) may encroach into the required minimum **side yard setback** a maximum of 1.5 metres if the **side yard** abuts a **street**; and

   (ii) may not encroach into a required minimum **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 regulation 10.5.40.60(1), are subject to the following:

(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 minimum **building setback** to the same extent as the platform it is covering; and

(B) a canopy, awning or similar **structure** that is not covering a platform may encroach into a required minimum **building setback**:

   (i) in a **front yard** or **rear yard**, the lesser of 2.5 metres or 50% of the required minimum **building setback**, if it is no closer to a **side lot line** than the required minimum **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, exterior stairs, pedestrian access ramp and elevating device providing access to a **building or structure** may encroach into a required minimum **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 the ground 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 15 horizontal units for each 1.0 vertical unit above-ground 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 minimum **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 minimum **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 minimum **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 and does not touch the ground, may encroach:

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

(B) into a required minimum **side yard setback** a maximum of 0.6 metres, if the window projections:
   (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 minimum **building setback**; and

(B) the eaves of a roof may encroach into a required minimum **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 minimum **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 minimum rear yard setback or minimum side yard setback;
(B) satellite dish, a maximum of 0.9 metres into any required minimum building setback;
(C) antenna, or a pole used to hold an antenna, a maximum of 0.9 metres into any required minimum rear yard setback or minimum side yard setback; and
(D) air conditioner, a maximum of 0.9 metres:
   (i) into a required minimum rear yard setback; and
   (ii) into a required minimum 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:
   (A) beside one lot in the Residential Zone category, and that abutting lot has a building fronting on the same street and that building is, in whole or in part, 15.0 metres or less from the subject lot, the required minimum front yard setback is the front yard setback of that building on the abutting lot; and
   (B) between two abutting lots in the Residential Zone category, each with a building fronting on the same street and those buildings are both, in whole or in part, 15.0 metres or less from the subject lot, the required minimum front yard setback is the average of the front yard setbacks of those 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 required minimum building setback from:
   (A) a front lot line, that lawful building setback is the minimum front yard setback for that lawfully existing building or structure;
   (B) a rear lot line, that lawful building setback is the minimum rear yard setback for that lawfully existing building or structure; and
   (C) a side lot line, that lawful building setback is the minimum side yard setback 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 10.5.40.71(1) must comply with the required minimum building setbacks 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 required 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 required 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 minimum 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 required minimum side yard setback; or
      (ii) the minimum side yard setback permitted by regulation 10.5.40.71(1).
(5) Permitted Setbacks for Lawfully Existing Buildings 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 or permitted parking pad must be landscaping; [By-law: 1429-2017]

(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, and if a lot does not have a permitted driveway in the front yard, a minimum of 75% of the front yard must be soft landscaping.

[By-law: 1675-2013]

(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 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 regulation 10.5.50.10(1), (2), (3) and (4), excludes the area of the required minimum building setback covered by any part of a building or structure which is permitted to encroach into a required minimum 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 includes the water surface area of outdoor 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 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 is used for any purpose other than an indoor amenity space required by this By-law.

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, required minimum ancillary building setbacks apply to all parts of an ancillary building or structure above-ground and below-ground, 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 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 required minimum rear yard setback for the ancillary building or structure is equal to the required minimum front yard setback for the residential building on the adjacent lot;
   - (B) if an ancillary building or structure is on a lot with a lot depth greater than 45 metres, and its height is greater than 2.5 metres or its floor area is greater than 10 square metres, the required minimum rear yard setback for the ancillary building or structure is equal to half the height of the ancillary building or structure; and
   - (C) in cases other than those set out in (A) or (B) above, the required 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 required minimum side yard setback for an ancillary building or structure:

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

(ii) if it is on a **lot** with a required minimum **lot frontage** of 21.0 metres or more, and its height is greater than 2.5 metres or its floor area, is greater than 10 square metres, the required minimum **side yard setback** is equal to half the height of the **ancillary building** or **structure**; and

(iii) in cases other than those set out in (i) and (ii) above, the required 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 required 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 required 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 required minimum **rear yard setback** is the greater of:

(i) the required minimum **front yard setback** 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 required 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 required minimum **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 required 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 the required **parking spaces** 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 required minimum **rear yard setback** for an outdoor 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 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 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 required minimum side yard setback for an outdoor 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 required 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, for a heating or air-conditioning device that is mounted on the ground:

(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), the device may be in a side yard, if it is no closer to the side lot line than the lesser of:
   (i) 0.9 metres; or
   (ii) the required minimum side yard setback 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 required 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 that is 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 highest 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 average grade and the elevation of the highest point of the ancillary building or structure.

(2) **Maximum Height of Ancillary Buildings or Structures**
The permitted 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 located 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 permitted 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 ground 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; and

(B) 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 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 total floor area of all ancillary buildings or structures on a lot in the Residential Zone category, other than an outdoor swimming pool or other structure used to hold water, must not be greater than:

(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 of an Ancillary Building or Structure Close to a Residential Building on the Same Lot

In the Residential Zone category, the permitted maximum floor area of an ancillary building or structure located less than 1.8 metres from a residential building on the lot is 10.0 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 the required minimum building setback 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 the water surface area of an outdoor swimming pool or other ancillary structure 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 an outdoor swimming pool or other structure 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 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 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 for:
   (A) a building or structure on the lot; or
   (B) an ancillary building or structure, if it is on a lot with a residential building.

(4) Solar Energy Device
In the Residential Zone category, a photovoltaic solar energy device or a thermal solar energy device that is:
   (A) on a building:
      (i) must comply with the required minimum building setbacks for a building on the lot; 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) ground mounted, must comply with the requirements for:
      (i) a building or structure on the lot; and
      (ii) an ancillary building or structure, if it is on a lot with a residential building.

(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 required minimum building setbacks 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 vehicle or pedestrian 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) Charging for Visitor Parking
In the Residential Zone category, no fee may be charged for a visitor parking space for an apartment building.

10.5.80.10 Location

(1) Location of Required Parking Spaces
In the Residential Zone category, a parking space must be 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 in a building or underground structure.

(3) Street Yard Parking Space
In the Residential Zone category, a parking space may not be 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 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:

(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 outside 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 no 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 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 has one or two lawful parking spaces 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 lawfully existing detached house or lawfully existing 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 only 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 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 required minimum lot frontage is less than 24.0 metres, the maximum combined width of all vehicle 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 vehicle 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 Lot
In the Residential Zone category, vehicle access to a parking space on a lot must:

(A) be from the lane, if the lot abuts a lane;
(B) be from a flanking street that is not a major street on the Policy Areas Overlay Map, if the lot does not abut a lane; and
(C) in all other cases, may be from the street on which the lot fronts. [By-law: PL130592 Mar_2018]

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 in the front yard or passes through the front yard may have the following dimensions in the front yard:

(A) a minimum width of 2.0 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, but not in the rear yard; or
   (iii) the width of a single parking space behind the front main wall, but not in the rear yard; or
   (iv) 2.6 metres if all parking spaces are 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 in the front yard or does not pass through the front yard may have the following dimensions:

(A) a minimum width of 2.0 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 may have:

(A) a minimum width of 2.0 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 may 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 vehicle 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 vehicle access to the same street, 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
For an apartment building in the Residential Zone category, all waste and recyclable material must be stored in a wholly enclosed building, if the apartment building is constructed pursuant to a building permit issued more than three years after May 9, 2013.
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 the R zone.

10.10.20 Permitted Uses

10.10.20.10 Permitted Use

(1) Use - R Zone

The following uses are permitted in the R zone:

- Dwelling Unit in a permitted residential 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 the 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 (2)
- Community Centre (3)
- Day Nursery (4)
- Fire Hall (1)
- Group Home (5)
- Home Occupation (6)
- Library (3)
- Municipal Shelter (7)
- Place of Worship (8)
- Police Station (1)
- Private Home Daycare (9)
- Public Utility (10, 11)
- Renewable Energy (2)
- Retail Store (12)
- Rooming House (13)
- Secondary Suite (14)
- Seniors Community House (15)
- Short-term Rental (18) [By-law 1453-2017]
- Tourist Home (16)
- Transportation Use (17) [By-law: 1453-2017 Enacted]

(1) Use with Conditions R Zone

The following uses are permitted in the 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 (2)
- Community Centre (3)
- Day Nursery (4)
- Fire Hall (1)
- Group Home (5)
- Home Occupation (6)
- Laneway Suite (19)
Library (3)
Municipal Shelter (7)
Place of Worship (8)
Police Station (1)
Private Home Daycare (9)
Public Utility (10, 11)
Renewable Energy (2)
Retail Store (12)
Rooming House (13)
Secondary Suite (14)
Seniors Community House (15)
Short-term Rental (18) [By-law 1453-2017]
Tourist Home (16)
Transportation Use (17) [By-law: 810-2018]

10.10.20.40 Permitted Building Types

(1) Permitted Residential Building Types - R Zone
In the 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 the R zone, an ambulance depot, a fire hall or a police station must be on a lot that:
      (A) fronts on a major street on the Policy Areas Overlay Map; or
      (B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production
   In the R Zone, cogeneration energy production or renewable energy production must be in combination 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 the 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 the R zone must comply with the specific use regulations in Section 150.45.

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

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

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

(8) Place of Worship
   In the R zone, a place of worship must:
      (A) comply with the specific use regulations in Section 150.50;
(B) be on a lot with a lot frontage of at least 30 metres; and
(C) be in a building that is or was originally constructed as a place of worship.

(9) Private Home Daycare
A children’s play area for a private home daycare in the R zone:
   (A) must be fenced; and
   (B) may not be located in the front yard or a side yard abutting a street.

(10) Public Utility
In the R zone, a public utility may not be:
   (A) a sewage treatment plant;
   (B) a water filtration plant; or
   (C) an above-ground water reservoir.

(11) Public Utility
In the R zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the R zone if it is:
   (A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
   (B) a natural gas regulator station.

(12) Retail Stores in Apartment Buildings
In the R zone, a retail store may be in an apartment building with 100 or more dwelling units, 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 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.

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

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

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

(16) Tourist Home
In the R zone, a tourist home:
   (A) must be in a detached house, a semi-detached house or a townhouse;
   (B) may have a maximum of 2 bed-sitting rooms available for tourist accommodation; and
   (C) must not have vehicle access by a mutual driveway.

(17) Transportation Use
A building or structure on a lot in the R zone and used as a transportation use must comply with all requirements for a building on that lot.

(18) Short-term Rental
A short-term rental in the R zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 Enacted ]

(19) Laneway Suite
A laneway suite in the R zone must comply with the specific use regulations in Section 150.8. [ By-law: 810-2018 ]
10.10.30 Lot Requirements

10.10.30.10 Lot Area

(1) Minimum Lot Area
In the R zone:
(A) if a zone label on the Zoning By-law Map has the letter "a", the numerical value following the letter "a" is the required minimum lot area, in square metres; and
(B) if the zone label does not have an "a" value on the Zoning By-law Map, the required minimum lot area, in square metres, is the required minimum lot frontage multiplied by 30 metres.

10.10.30.20 Lot Frontage

(1) Minimum Lot Frontage
In the R zone:
(A) if a zone label on the Zoning By-law Map has the letter "f", the numerical value following the letter "f" is the required minimum lot frontage, in metres;
(B) if the zone label does not have an "f" value on the Zoning By-law Map, the required minimum lot frontage is 6.0 metres;
(C) the required minimum lot frontage requirement cited in (A) or (B) above:
   (i) for a semi-detached house, is the required minimum lot frontage for each dwelling unit; and
   (ii) for a townhouse with every dwelling unit fronting directly on a street:
      (a) is the required minimum lot frontage for each dwelling unit; and
      (b) may be reduced by 1.0 metre for each dwelling unit that does not have an individual private driveway leading directly to the front of it; and
(D) despite (A), (B) and (C) above, if a lot has a townhouse with one or more dwelling units not fronting directly on a street, the required 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 the 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 the R zone.

(3) Number of Dwelling Units on a Lot
If a zone label applying to a lot in the R zone on the Zoning By-law Map has the letter "u", the numerical value following the letter "u" is the maximum number of dwelling units permitted on the lot.

(4) Minimum Width of a Dwelling Unit
In the R zone, the required 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 the R zone, a building, or an addition which is not attached above-ground 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 permitted maximum height for a building or structure on a lot in the R zone is:
(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
(B) if the lot is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 10.0 metres.

(2) Maximum Height of Specified Pairs of Main Walls

In the R zone, the permitted 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 permitted maximum number of storeys in a building on a lot in the R zone is:
(A) the numerical value following the letters "ST" on the Height Overlay Map; and
(B) if the lot is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of storeys is not limited by this regulation.

(4) Roof Slope Restriction for a Detached House

In the 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 the 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 Main Pedestrian Entrance

In the R zone, for a detached house or a semi-detached house, the elevation of the lowest point of a main pedestrian entrance through the front wall or a side main wall may be no higher than 1.2 metres above established grade.

(7) Addition to a Residential Building

In the 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 the building that is being added to, extended or enlarged.

(8) Height of Specific Structures on a Building

In the 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 of Rooftop Amenity Space Safety and Wind Protection**

In the R zone, unenclosed **structures** providing safety or wind protection to rooftop **amenity space** 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 the R Zone**

In addition to regulation 10.5.40.11(3), if a **lawfully existing building** in the 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 the R zone, the permitted 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 the R zone, the permitted maximum floor space index is:

(A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; or

(B) if the zone label does not include a "d" value on the Zoning By-law Map, the permitted maximum floor space index is 0.6.

(2) **Additions to the Rear of Certain Residential Buildings**

If a **lot** in the R zone has a permitted 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 **side lot line** than the shortest distance between the existing side **main wall** of the **building** and the same **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 the 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) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space**; [ By-law: 1353-2015 ]

(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**.

(2) **Interpretation of Platform Walls**

In the 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**.
10.10.40.61 Permitted Encroachments Exemptions

(1) Lawfully Existing Porch
Despite 10.5.40.50.(2) and 10.5.40.60(1)(A), in the R zone, a lawfully existing porch may be reconstructed or replaced, if the reconstruction or replacement is within the same outer limits of the lawfully existing porch and there is no enlargement of the porch. [By-law: 607-2015]

10.10.40.70 Setbacks

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

(2) Minimum Rear Yard Setback
The required minimum rear yard setback in the R zone is 7.5 metres.

(3) Minimum Side Yard Setback
In the R zone, the required 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 required minimum side yard setback required in regulation 10.10.40.70(3)(A) and (B), may be reduced to 0.45 metres if there are no windows or doors in that side of the building, for the following residential building types in the 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.

10.10.40.71 Setbacks Exemptions

(1) Setback Exemptions
Regulation 10.5.40.70(1) and Regulations 10.10.40.70 (1)(2)(3) and (4) do not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 10.5 metres. [103-2016] [By-law: 1031-2014]
10.10.40.80 Separation

(1) Distance Between Main Walls of the Same Townhouse or Apartment Building
In the 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 required 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 the 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 required minimum separation distance between main walls required by this By-law, that lawful separation distance is the minimum separation distance for those lawful main walls.

(2) Additions to Lawfully Existing Buildings
In the 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 in regulation 10.10.40.80(1) or be authorized by a Section 45 Planning Act minor variance.

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 the 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 the R zone, the required 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 the 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) the water surface area of an outdoor swimming pool or other ancillary structure 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 building on a lot in the R zone, other than an ancillary building, may be converted to habitable space and no further parking space is required if:

(A) the lot has:
   (i) a lot frontage of 7.6 metres or less; or
   (ii) a lot frontage greater than 7.6 metres, and the elevation of the floor of the vehicle entrance is below established grade;

(B) the required parking space is in a detached house, a semi-detached house or a townhouse;

(C) vehicle entrance to the parking space is in the front main wall; and

(D) the driveway leading to the vehicle 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 the R zone has a lot frontage of 7.6 metres or less, a vehicle 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 the 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 the R zone, despite the requirements of Chapter 200, Parking Space Regulations, no parking space is required for a lot if access to a required parking space located in a side yard or rear yard cannot be provided from a lane or flanking street, and:

(A) the lot frontage of the lot is 7.6 metres or less and:
   (i) a deed to the lot was registered on or before July 2, 1996; and
   (ii) a detached house, semi-detached house, duplex, triplex, or one unit of a townhouse is erected on the lot after July 2, 1996; or

(B) a lot that had not been the subject of a previous severance 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. [By-law: PL130592 Mar_2018]
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 the RD zone.

10.20.20 Permitted Uses

10.20.20.10 Permitted Use

(1) Use - RD Zone
The following uses are permitted in the RD zone:
- Dwelling Unit in a permitted residential 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 the 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 (2)
- Community Centre (3)
- Day Nursery (4)
- Fire Hall (1)
- Group Home (5)
- Home Occupation (6)
- Library (3)
- Municipal Shelter (7)
- Place of Worship (8)
- Police Station (1)
- Private Home Daycare (9)
- Public Utility (10, 11)
- Renewable Energy (2)
- Secondary Suite (12)
- Seniors Community House (13)
- Transportation Use (14)
10.20.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RD Zone
In the 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 the RD zone, an ambulance depot, a fire hall or a police station must be on a **lot** that:

(A) fronts on a major **street** on the Policy Areas Overlay Map; or

(B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production
In the RD zone, **cogeneration energy** production or **renewable energy** production must be in combination 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 the 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** on the Policy Areas Overlay Map, or

(ii) a **street** which intersects a major **street** on the Policy Areas Overlay Map, and the **lot** is located, in whole or in part, within 80.0 metres of that intersection.

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

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

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

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

(8) Place of Worship
In the RD zone, a **place of worship** must:

(A) comply with the specific use regulations in Section 150.50;

(B) be on a **lot** with:

   (i) a **front lot line** or **side lot line** abutting a major **street** on the Policy Areas Overlay Map;

   (ii) a **lot area** of at least 2,000 square metres; and

   (iii) a **lot frontage** of at least 30 metres; and

(C) be in a **building** with no more than 2,000 square metres of **gross floor area**; and
(D) a lawfully existing place of worship is exempt from the requirements of regulation 10.20.20.100(8) (B) and (C).

(9) Private Home Daycare
A children’s play area for a private home daycare in the RD zone:
(A) must be fenced; and
(B) may not be located in the front yard or a side yard abutting a street.

(10) Public Utility
In the RD zone, a public utility may not be:
(A) a sewage treatment plant;
(B) a water filtration plant; or
(C) an above-ground water reservoir.

(11) Public Utility
In the RD zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the RD zone if it is:
(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
(B) a natural gas regulator station.

(12) Secondary Suite
A secondary suite in the RD zone must comply with the specific use regulations in Section 150.10.

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

(14) Transportation Use
A building or structure on a lot in the RD zone and used as a transportation use must comply with all requirements for a building on that lot.

(15) Short-term Rental
A short-term rental in the RD zone must comply with the specific use regulations in Section 150.13. [By-law: 1453-2017 Enacted]

10.20.30 Lot Requirements

10.20.30.10 Lot Area

(1) Minimum Lot Area
In the RD zone:
(A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum lot area, in square metres; and
(B) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum lot area, in square metres, is the required minimum lot frontage multiplied by 30 metres.

10.20.30.20 Lot Frontage

(1) Minimum Lot Frontage
In the RD zone:
(A) if a zone label includes the letter "f", as on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum lot frontage, in metres; and
(B) if the zone label does not include an "f" value on the Zoning By-law Map, the required minimum lot frontage is 12.0 metres.
10.20.30.40 Lot Coverage

(1) Maximum Lot Coverage
In the RD zone:

(A) if a lot in is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; and

(B) if a lot is not in an area with a numerical value on the Lot Coverage Overlay Map, no lot coverage applies.

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 the 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 the RD zone.

(3) Building Orientation to a Street - Buildings with Dwelling Units
In the RD zone, a building, or an addition which is not attached above-ground 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 permitted maximum height for a building or structure on a lot in the RD zone is:

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

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

(2) Maximum Height of Specified Pairs of Main Walls
In the RD zone, the permitted 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 permitted maximum number of storeys in a building on a lot in the RD zone is:

(A) the numerical value following the letters "ST" on the Height Overlay Map; and

(B) if the lot is in an area with no numerical value following the letters "ST" 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 the 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 permitted maximum height of the building 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 may 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 the RD zone may exceed the permitted maximum height of a building in regulation 10.20.40.10(4) by a maximum of 0.3 metres.

6 Height of Main Pedestrian Entrance

In the RD zone, for a detached house, the elevation of the lowest point of a main pedestrian entrance through the front wall or a side main wall may be no higher than 1.2 metres above established grade. [By-law: PL130592 Mar_2018]

7 Width of Dormers in a Roof Above a Second Storey or Higher

In the 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 the 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 the RD zone is a detached house, the altered roof may not have a slope less than 1.0 vertical units for every 4.0 horizontal units for more than 50% of the total horizontal roof area.

20.40.20 Building Length

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

In the RD zone with a required minimum lot frontage of 18.0 metres or less, the permitted 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

In the RD zone, despite regulation 10.20.40.20(1), on a lot with a required minimum lot frontage of more than 12.0 metres to 18.0 metres, a detached house may extend beyond the permitted maximum building length by a maximum of 2.0 metres, if the extended part:

(A) has a maximum height of 5.0 metres and one storey;
(B) is no wider than 50% of the width of the building at its widest point; 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 the RD zone with a required minimum 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 be no more than 19.0 metres from the required front yard setback.
10.20.40.40 Floor Area

(1) Floor Space Index
In the RD zone, the permitted maximum floor space index is:
(A) the numerical value following the letter “d” in the zone label on the Zoning By-law Map; and
(B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, 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 the 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 the RD zone, if an area is not subject to 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 required minimum front yard setback in the RD zone is 6.0 metres.

(2) Minimum Rear Yard Setback
The required minimum rear yard setback in the RD zone is the greater of:
(A) 7.5 metres; or
(B) 25% of the lot depth.

(3) Minimum Side Yard Setback
The required minimum side yard setback in the RD zone is:
(A) 0.6 metres if the required minimum lot frontage is less than 6.0 metres;
(B) 0.9 metres if the required minimum lot frontage is 6.0 metres to less than 12.0 metres;
(C) 1.2 metres if the required minimum lot frontage is 12.0 metres to less than 15.0 metres;
(D) 1.5 metres if the required minimum lot frontage is 15.0 metres to less than 18.0 metres;
(E) 1.8 metres if the required minimum lot frontage is 18.0 metres to less than 24.0 metres;
(F) 2.4 metres if the required minimum lot frontage is 24.0 metres to less than 30.0 metres; and
(G) 3.0 metres if the required minimum 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 the RD zone with a required minimum lot frontage of 12.0 metres to less than 18.0 metres, the required minimum side yard setback on one side of a detached house may be reduced by a maximum of 0.3 metres if the required 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 the RD zone with a required minimum lot frontage greater than 18.0 metres, the required 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 the RD zone, the required minimum side yard setback from a side lot line abutting a street is 3.0 metres, if:

(A) the required minimum 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 the RS zone.

10.40.20 Permitted Uses

10.40.20.10 Permitted Use

(1) Use - RS Zone

The following uses are permitted in the RS zone:

- Dwelling Unit in a permitted residential 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 the 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 (2)
- Community Centre (3)
- Day Nursery (4)
- Fire Hall (1)
- Group Home (5)
- Home Occupation (6)
- Library (3)
- Municipal Shelter (7)
- Place of Worship (8)
- Police Station (1)
- Private Home Daycare (9)
- Public Utility (10, 11)
- Renewable Energy (2)
- Secondary Suite (12)
- Seniors Community House (13)
- Transportation Use (14)
10.40.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RS Zone
In the 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 the RS zone, an ambulance depot, a fire hall or a police station must be on a lot that:
   (A) fronts on a major street on the Policy Areas Overlay Map; or
   (B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production
In the RS zone, cogeneration energy production or renewable energy production must be in combination 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 the 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 on the Policy Areas Overlay Map; or
      (ii) a street which intersects a major street on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within 80.0 metres of that intersection.

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

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

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

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

(8) Place of Worship
In the RS zone, a place of worship must:
   (A) comply with the specific use regulations in Section 150.50;
   (B) be on a lot with:
      (i) a front lot line or side lot line abutting a major street on the Policy Areas Overlay Map;
      (ii) a lot area of at least 2,000 square metres; and
      (iii) a lot frontage of at least 30 metres;
   (C) be in a building with no more than 2,000 square metres of gross floor area; and
(D) a lawfully existing place of worship is exempt from the requirements of regulation 10.40.20.100(8) (B) and (C).

(9) Private Home Daycare
A children's play area for a private home daycare in the RS zone:
(A) must be fenced; and
(B) may not be located in the front yard or a side yard abutting a street.

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

(11) Public Utility
In the RS zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the RS zone if it is:
(A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
(B) a natural gas regulator station.

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

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

(14) Transportation Use
A building or structure on a lot in the RS zone and used as a transportation use must comply with all requirements for a building on that lot.

(15) Short-term Rental
A short-term rental in the RS zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 Enacted ]

10.40.30 Lot Requirements

10.40.30.10 Lot Area

(1) Minimum Lot Area
In the RS zone:
(A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum lot area, in square metres;
(B) despite (A) above, if a semi-detached house is on two lots in the RS zone, the required minimum lot area for each lot is 50% of the numerical value following the letter "a", in square metres; and
(C) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum lot area, in square metres, is the required minimum lot frontage multiplied by 30 metres.

10.40.30.20 Lot Frontage

(1) Minimum Lot Frontage
In the RS zone:
(A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum lot frontage, in metres;
(B) if the zone label does not include an "F" value on the Zoning By-law Map, the required minimum lot frontage is 15.0 metres; and

(C) if a semi-detached house is on two lots in the RS zone, the required 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
In the RS zone:

(A) if a lot is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; and

(B) if a lot is not in an area with a numerical value on the Lot Coverage Overlay Map, no lot coverage applies.

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 the 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 the RS zone.

10.40.40.10 Height

(1) Maximum Height
The permitted maximum height for a building or structure on a lot in the RS zone is:

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

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

(2) Maximum Height of Specified Pairs of Main Walls
In the RS zone, the permitted 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 permitted maximum number of storeys in a building on a lot in the RS zone is:

(A) the numerical value following the letters "ST" on the Height Overlay Map; and

(B) if the lot is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of storeys is not limited by this regulation.
(4) **Height of Main Pedestrian Entrance.**

In the RS zone, for a **detached house** or a **semi-detached house**, the elevation of the lowest point of a pedestrian entrance through the front wall or a side main wall may be no higher than 1.2 metres above established grade. [By-law: PL130592 Mar_2018]

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

In the RS zone, on a **detached house** or **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.

### 10.40.20 Building Length

(1) **Maximum Building Length**

In the RS zone, the permitted 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**

In the RS zone, despite regulation 10.40.20(1), on a lot with a required minimum lot frontage of more than 12.0 metres for a **detached house** or for an entire **semi-detached house**, a **detached house** or **semi-detached house** may extend beyond the permitted maximum building length by a maximum of 2.0 metres, if the extended part:

(A) has a maximum height of 5.0 metres and one storey;
(B) is no wider than 50% of the width of the dwelling unit at its widest point; 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.

### 10.40.30 Building Depth

(1) **Maximum Building Depth**

In the RS zone, the rear main wall of a **detached house** or **semi-detached house**, not including a one storey extension that complies with regulation 10.40.20(2), may be no more than 19.0 metres from the required minimum front yard setback.

### 10.40.40 Floor Area

(1) **Floor Space Index**

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

(A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
(B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, the floor space index is not limited by this regulation.

### 10.40.50 Decks, Platforms and Amenities

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

In the 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 the 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.

10.40.70 Setbacks

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

(2) Minimum Rear Yard Setback
The required minimum rear yard setback in the RS zone is the greater of:

(A) 7.5 metres; or

(B) 25% of the lot depth.

(3) Minimum Side Yard Setback
The required minimum side yard setback in the RS zone is:

(A) 0.9 metres, if the required minimum lot frontage for a detached house or for an entire semi-detached house is less than 12.0 metres;

(B) 1.2 metres, if the required minimum lot frontage for a detached house or for an entire semi-detached house is 12.0 metres to less than 15.0 metres;

(C) 1.5 metres, if the required minimum lot frontage for a detached house or for an entire 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 the RT zone.

10.60.20 Permitted Uses

10.60.20.10 Permitted Use

(1) Use - RT Zone

The following uses are permitted in the RT zone:

Dwelling Unit in a permitted residential 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 the 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 (2)
Community Centre (3)
Day Nursery (4)
Fire Hall (1)
Group Home (5)
Home Occupation (6)
Library (3)
Municipal Shelter (7)
Place of Worship (8)
Police Station (1)
Private Home Daycare (9)
Public Utility (10, 11)
Renewable Energy (2)
Secondary Suite (12)
Seniors Community House (13)
Transportation Use (14)
10.60.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RT Zone
In the 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 the RT zone, an ambulance depot, a fire hall or a police station must be on a lot that:
(A) fronts on a major street on the Policy Areas Overlay Map; or
(B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production
In the RT zone, cogeneration energy production or renewable energy production must be in combination 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 the 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 on the Policy Areas Overlay Map; or
(B) a street which intersects a major street on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within 80 metres of that intersection.

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

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

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

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

(8) Place of Worship
In the RT zone, a place of worship must:
(A) comply with the specific use regulations in Section 150.50;
(B) be on a lot with:
(i) a front lot line or side lot line abutting a major street on the Policy Areas Overlay Map;
(ii) a lot area of at least 2,000 square metres; and
(iii) a lot frontage of at least 30 metres;
(C) be in a building with no more than 2,500 square metres of gross floor area; and
(D) a lawfully existing place of worship is exempt from the requirements of regulation 10.60.20.100(8) (B) and (C).
(9) **Private Home Daycare**
   A children's play area for a *private home daycare* in the RT zone:
   
   (A) must be fenced; and
   
   (B) may not be located in the front yard or a side yard abutting a street.

(10) **Public Utility**
   In the RT zone, a *public utility* may not be:

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

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

   (A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
   
   (B) a natural gas regulator station.

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

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

(14) **Transportation Use**
   A building or structure on a lot in the RT zone and used as a transportation use must comply with all requirements for a building on that lot.

(15) **Short-term Rental**
   A short-term rental in the RT zone must comply with the specific use regulations in Section 150.13. [By-law: 1453-2017 Enacted]

### 10.60.30 Lot Requirements

#### 10.60.30.10 Lot Area

(1) **Minimum Lot Area**

   In the RT zone:

   (A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum lot area, in square metres;

   (B) despite (A) above, if one semi-detached house is on two lots in the RT zone, the required minimum lot area for each lot is 50% of the numerical value following the letter "a", in square metres; and

   (C) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum lot area, in square metres, is the required minimum 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 the RT zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum lot area for each dwelling unit in a townhouse.

#### 10.60.30.20 Lot Frontage

(1) **Minimum Lot Frontage**

   In the RT zone:

   (A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required 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 does not include an “f” value on the Zoning By-law Map, the required minimum lot frontage is 6.0 metres for each dwelling unit, for a lot with:

(i) a detached house;
(ii) a semi-detached house; or
(iii) a townhouse with every dwelling unit fronting directly on a street;

(C) the required minimum lot frontage for a townhouse in the 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; and

(D) despite (A), (B) and (C) above, the required minimum lot frontage 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
In the RT zone:

(A) if a lot is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; and

(B) if a lot is not in an area with a numerical value on the Lot Coverage Overlay Map, no lot coverage applies.

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 the 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 the RT zone includes the letter “u”, on the Zoning By-law Map, the numerical value following the letter “u” is the permitted maximum number of dwelling units on the lot.

(3) Minimum Width of a Dwelling Unit
In the RT zone, the required 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 permitted maximum height for a building or structure on a lot in the RT zone is:

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

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

(2) Maximum Number of Storeys
The permitted maximum number of storeys in a building on a lot in the RT zone is:
(A) the numerical value following the letters "ST" on the Height Overlay Map; and
(B) if the lot is in an area with no numerical value following the letters "ST" 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 the RT zone, the permitted maximum floor space index is:
(A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
(B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, 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 required minimum front yard setback in the RT zone is 6.0 metres.
(2) Minimum Rear Yard Setback
The required minimum rear yard setback in the RT zone is 7.5 metres.
(3) Minimum Side Yard Setback
In the RT zone:
(A) the required minimum side yard setback is 7.5 metres; and
(B) despite (A) above, the required minimum side yard setback 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 the 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 required 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 the RT zone, if two or more residential buildings are on the same lot, the required 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 front or rear main wall of one or more of the buildings; [ By-law: PL130592 Mar_2018 ]
(B) 11.0 metres if each front or rear main wall has an opening to a dwelling unit; and [ By-law: PL130592 Mar_2018 ]
(C) 2.4 metres between side main walls of two residential buildings. [ By-law: PL130592 Mar_2018 ]
10.60.40.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings
   In the 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 required minimum separation distance between main walls required by this By-law, that lawful separation distance is the minimum separation distance for those lawful main walls of those lawfully existing buildings.

(2) Additions to Lawfully Existing Buildings
   In the RT zone, any addition or extension to a lawfully existing building referred to in regulation 10.60.40.81(1) must comply with the required minimum separation distance between main walls in regulations 10.60.40.80(1) and (2) 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 the RM zone.

10.80.20 Permitted Uses

10.80.20.10 Permitted Use

(1) Use - RM Zone
The following uses are permitted in the RM zone:
Dwelling Unit in a permitted residential 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 the 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 (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)
Place of Worship (9)
Police Station (1)
Private Home Daycare (10)
Public Utility (11, 12)
Renewable Energy (2)
Residential Care Home (6)
Respite Care Facility (13)
Retirement Home (8)
Rooming House (14)
Secondary Suite (15)
Seniors Community House (16)
Transportation Use (17)
10.80.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RM Zone

In the RM zone, a dwelling unit is permitted in the following residential building types:

(A) Detached House;
(B) Semi-Detached House;
(C) Duplex, if the zone label on the Zoning By-law Map:
   (i) does not include a "u" value; or
   (ii) has a numerical value of 2 or greater following the letter "u" in the zone label;
(D) Triplex, if the zone label 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 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;
(F) Apartment Building, if the zone label 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 the RM zone, an ambulance depot, a fire hall or a police station must be on a lot that:

(A) fronts on a major street on the Policy Areas Overlay Map; or
(B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(2) Cogeneration Energy Production or Renewable Energy Production

In the RM zone, cogeneration energy production or renewable energy production must be in combination 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 the 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 on the Policy Areas Overlay Map; or
(B) a street which intersects a major street on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within 80.0 metres of that intersection.

(4) Crisis Care Shelter or Municipal Shelter
In the 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 the RM zone must comply with the specific use regulations in Section 150.45.

(6) Group Home or Residential Care Home
In the 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 the RM zone must comply with the specific use regulations in Section 150.5.

(8) Nursing Home or Retirement Home
In the 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 on the Policy Areas Overlay Map; or
(B) a street which intersects a major street on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within 80.0 metres of that intersection.

(9) Place of Worship
In the RM zone, a place of worship must:

(A) comply with the specific use regulations in Section 150.50;
(B) be on a lot with:
   (i) a front lot line or side lot line abutting a major street on the Policy Areas Overlay Map;
   (ii) a lot area of at least 2,000 square metres; and
   (iii) a lot frontage of at least 30 metres;
(C) be in a building with no more than 2,500 square metres of gross floor area; and
(D) a lawfully existing place of worship is exempt from the requirements of regulation 10.80.20.100(9) (B) and (C).

(10) Private Home Daycare
A children's play area for a private home daycare in the RM zone:

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

(11) Public Utility
In the RM zone, a public utility may not be:

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

(12) Public Utility
In the RM zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the RM zone if it is:

(A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
(B) a natural gas regulator station.

(13) Respite Care Facility
In the RM zone, a respite care facility must be combined with a nursing home or retirement home.
(14) **Rooming House**
A rooming house in the RM zone must comply with the specific use regulations in Section 150.25.

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

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

(17) **Transportation Use**
A building or structure on a lot in the RM zone and used as a transportation use must comply with all requirements for a building on that lot.

(18) **Short-term Rental**
A short-term rental in the RM zone must comply with the specific use regulations in Section 150.13. [By-law: 1453-2017 Enacted]

### 10.80.30 Lot Requirements

#### 10.80.30.10 Lot Area

(1) **Minimum Lot Area**
In the RM zone:

(A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum lot area, in square metres;

(B) despite (A) above, if a semi-detached house, a fourplex, or an apartment building is on two lots in the RM zone, the required minimum lot area for each lot is 50% of the numerical value following the letter "a", in square metres; and

(C) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum lot area, in square metres, is the required minimum 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 the RM zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum lot area, in square metres, for each dwelling unit in an apartment building.

#### 10.80.30.20 Lot Frontage

(1) **Minimum Lot Frontage**
In the RM zone:

(A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum lot frontage, in metres;

(B) if the zone label does not include an "f" value on the Zoning By-law Map, the required minimum lot frontage is:
   (i) 12.0 metres for a lot with a detached house;
   (ii) 15.0 metres for a lot with an entire semi-detached house;
   (iii) 18.0 metres for each duplex or triplex on a lot; and
   (iv) 24.0 metres,
      (a) for each fourplex or apartment building on a lot, or
      (b) for a lot with a non-residential building; and

(C) if a semi-detached house, a fourplex, or an apartment building is on two lots in the RM zone, the required 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**
   In the RM zone:
   (A) if a **lot** is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum **lot coverage**, as a percentage of the **lot area**; and
   (B) if a **lot** is not in an area with a numerical value on the Lot Coverage Overlay Map, no **lot coverage** applies.

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 the 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 the RM zone includes the letter "u", on the Zoning By-law Map, the numerical value following the letter "u" is the permitted maximum number of **dwelling units** on the **lot**.

10.80.40.10 Height

(1) **Maximum Height**
   The permitted maximum height for a **building** or **structure** on a **lot** in the RM zone is:
   (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
   (B) if the **lot** is in an area with no numerical value following the letters "HT" 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 the RM zone, the permitted 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 permitted maximum number of **storeys** in a **building** on a **lot** in the RM zone is:
   (A) the numerical value following the letters "ST" on the Height Overlay Map; and
   (B) if the **lot** is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of **storeys** is not limited by this regulation.
(4) Height of Main Pedestrian Entrance
In the RM zone, for a detached house or semi-detached house, the elevation of the lowest point of a main pedestrian entrance through the front wall or a side main wall may be no higher than 1.2 metres above established grade. [By-law: PL130592 Mar_2018]

(5) Width of Dormers in a Roof Above a Second Storey or Higher
In the 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 the RM zone, the permitted 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
In the RM zone, despite regulation 10.80.40.20(1), on a lot with a required minimum lot frontage of more than 12.0 metres for a detached house or for an entire semi-detached house, a detached house or semi-detached house may extend beyond the permitted maximum building length by a maximum of 2.0 metres, if the extended part:

(A) has a maximum height of 5.0 metres and one storey;
(B) is no wider than 50% of the width of the dwelling unit at its widest point; 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 the 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 be no more than 19.0 metres from the required minimum front yard setback.

10.80.40.40 Floor Area

(1) Floor Space Index
In the RM zone, the permitted maximum floor space index is:

(A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
(B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, 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 the 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 the 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.

10.80.70 Setbacks

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

(2) Minimum Rear Yard Setback
   The required minimum rear yard setback in the RM zone is the greater of:
   (A) 7.5 metres; or
   (B) 25% of the lot depth.

(3) Minimum Side Yard Setback
   The required minimum side yard setback in the 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; and
   (D) 2.4 metres for a fourplex, an apartment building, or a non-residential building.

10.80.80 Separation

(1) Distance Between Main Walls of the Same Apartment Building
   In the 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 required 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 the RM zone, if two or more residential buildings are located on the same lot, the required 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.

10.80.81 Separation Exemptions

(1) Permitted Separation Between Main Walls for Lawfully Existing Buildings
   In the RM 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 required minimum separation
   distance between main walls required by this By-law, that lawful separation distance is the minimum separation
   distance for those lawful main walls of the lawfully existing building.

(2) Additions to Lawfully Existing Buildings
   In the RM zone, any addition or extension to a lawfully existing building or structure referred to in regulation
   10.80.81(1) must comply with the required 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 required minimum lot frontage required for a lot, in metres;
(B) the letter "a" and a numerical value indicates the required minimum lot area required for a lot, in square metres;
(C) the letters "au" and a numerical value indicates the required minimum lot area required for each dwelling unit on a lot, in square metres;
(D) the letter "u" and a numerical value indicates the permitted maximum number of dwelling units permitted on a lot; and
(E) the letter "d" and a numerical value indicates the permitted maximum floor space index permitted for a lot.

15.5.20 Permitted Uses

15.5.20.1 General

(1) Lawfully Existing Public School, Private 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 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 Section 150.48 and the requirements for the zone in which the lot is located.

15.5.30 Lot Requirements

15.5.30.1 General

(1) Lot Requirements
Additional lot requirements are 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 minimum lot area 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 regulations 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 required minimum **lot frontage** by this By-law, that **lawful lot frontage** is the 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 15.5.30.21(1) must comply with all other regulations 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 minimum **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 minimum **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** covered by **lawfully existing buildings** or **structures** is greater than the permitted maximum **lot coverage** by this By-law, the **lawful** percentage of the **lot** covered by those **lawfully existing buildings** or **structures** is the maximum **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 regulations 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) Building Requirements
Additional building requirements are 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 of Specific Structures on a Building
In the Residential Apartment Zone category, the following structures 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 of Elements for Functional Operation of a Building
In the Residential Apartment 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, 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 height for a building, as permitted by regulation 15.5.40.10(3), must comply with the following:

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

(B) if they 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.

(5) Height of Rooftop Amenity Space Safety and Wind Protection
In the Residential Apartment Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space 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, that lawful height is the 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 for a building 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 constructed to the 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 is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below established grade;
(B) required loading spaces and required bicycle parking spaces at or above established grade;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change 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 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 permitted maximum floor space index, the lawful floor space index resulting from those lawfully existing buildings on that lot is the maximum 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 required minimum **building setbacks** 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**, is subject to the following:

(A) a platform with a floor no higher than the first **storey** of the **building** may encroach into a required minimum **building setback** the lesser of 9.5 metres or 50% of the required minimum **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 **storey** of the **building** may encroach into the required minimum **building setback** the lesser of 2.5 metres or 50% of the required minimum **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), is subject to the following:

(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 minimum **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 minimum **building setback** the lesser of 9.5 metres or 50% of the required minimum **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) 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:

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

(i) no longer than 1.5 horizontal units for each 1.0 vertical unit above the ground 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 minimum **building setback**, if the ramp is:

(i) no longer than 15 horizontal units for each 1.0 vertical unit above the ground 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 minimum **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 and Structures
   In the Residential Apartment Zone category, if the lawful building setback of a lawfully existing building or structure is less than the required minimum building setback from:
   
   (A) a front lot line, that lawful building setback is the minimum front yard setback for that lawfully existing building or structure;
   
   (B) a rear lot line, that lawful building setback is the minimum rear yard setback for that lawfully existing building or structure; and
   
   (C) a side lot line, that lawful building setback is the minimum side yard setback 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 15.5.40.71(1) must comply with the required minimum building setbacks or be authorized by a Section 45 Planning Act minor variance.

(3) REPLACE THIS HEADING
   Regulations 15.10.40.70 (1)(2)(3) and (4) do not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 15 metres. [103-2016] [ By-law: 1031-2014 ]

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

(2) Additions to Lawfully Existing Buildings - Separation Between Main Walls
   Any addition or extension to a lawfully existing building 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 required minimum separation distance required by this By-law, that lawful separation distance is the minimum separation distance between that lawfully existing 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 required 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 minimum building setback covered by any part of a building or structure which is permitted to encroach into a required minimum 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 an outdoor swimming pool or other ancillary structure 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 required minimum front yard setback for an ancillary building or structure in the Residential Apartment Zone category is the required minimum front yard setback for the residential building on the lot.

(2) **Rear Yard Setback for Ancillary Buildings or Structures**

The required minimum rear yard setback for an ancillary building or structure in the Residential Apartment Zone category:

(A) is 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) is half 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, is the required minimum front yard setback for the residential building on the adjacent lot, if the residential building on the adjacent lot fronts on the street that abuts the rear lot line of the through lot.

(3) **Side Yard Setback for Ancillary Buildings or Structures**

In the Residential Apartment Zone category, the required minimum side yard setback for an ancillary building or structure located:
(A) in a side yard, is the required minimum side yard setback 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 required minimum side yard setback 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 half 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, is the required minimum front yard setback for the residential building on the adjacent lot, if the residential building on the adjacent lot fronts on the street that abuts the side lot line of the corner lot.

(4) Rear Yard Setback for Swimming Pools or Similar Ancillary Structures Containing Water
Despite regulation 15.5.60.20(2), in the Residential Apartment Zone category, the required minimum rear yard setback for an outdoor 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 regulation 15.5.60.20(3), in the Residential Apartment Zone category, the required minimum side yard setback for an outdoor 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, required minimum ancillary building setback regulations apply to all parts of an ancillary building or structure above and below-ground, 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, an outdoor 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 the 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 average grade and the elevation of the highest point of the ancillary building or structure.

(2) Maximum Height of Ancillary Buildings or Structures
The permitted 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 permitted maximum gross floor area of an ancillary building 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 the water surface area of an outdoor swimming pool or other ancillary structure 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 an outdoor swimming pool or other ancillary structure 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 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 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 for:
   (A) a building or structure on the lot; or
   (B) if it is 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 that is:
   (A) on a building:
      (i) must comply with the required minimum building setbacks for a building on the lot; and
      (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and
(B) ground mounted, must comply with the requirements for:
   (i) a building or structure on the lot; and
   (ii) an ancillary building or structure, if it is on a lot with a residential building.

(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 required minimum building setbacks 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) Charging for Visitor Parking
In the Residential Apartment Zone category, no fee may be charged for a visitor parking space for an apartment building.

15.5.80.10 Location

(1) Location of Required Parking Spaces
In the Residential Apartment Zone category, a parking space must be 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 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 that is 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 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 vehicle 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 waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013.
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 the RA zone.

15.10.20 Permitted Uses

15.10.20.10 Permitted Use

(1) Use - RA Zone
The following uses are permitted in the RA zone:
- Ambulance Depot
- Dwelling Unit in a permitted residential 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 the 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 (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)
- Place of Worship (8)
- Private Home Daycare (9)
- Public Utility (10, 11)
- Renewable Energy (1)
- Residential Care Home (5)
- Respite Care Facility (12)
- Retail Store (13)
- Retirement Home (7)
- Rooming House (14)
- Secondary Suite (15)
- Seniors Community House (16)
- Transportation Use (17)

<table>
<thead>
<tr>
<th>(1) Use with Conditions - RA Zone</th>
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</thead>
<tbody>
<tr>
<td>The following uses are permitted in the RA zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 15.10.20.100:</td>
</tr>
<tr>
<td>Cogeneration Energy (1)</td>
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<tr>
<td>Home Occupation (6)</td>
</tr>
</tbody>
</table>
15.10.20.40 Permitted Building Types

(1) Permitted Residential Building Types - RA Zone
In the 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 the RA zone, cogeneration energy production or renewable energy production must be in combination 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 the RA zone, a community centre or a library must be on a lot that abuts a major street on the Policy Areas Overlay Map.

(3) Crisis Care Shelter or Municipal Shelter
In the 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 the RA zone must comply with the specific use regulations in Section 150.45.

(5) Group Home or Residential Care Home
In the 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 the RA zone must comply with the specific use regulations in Section 150.5.

(7) Nursing Home or Retirement Home
In the 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 on the Policy Areas Overlay Map; or

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

(8) Place of Worship
In the RA zone:

(A) a place of worship may be on a lot with an apartment building, if the lot has 100 or more dwelling units in one or more apartment buildings, and the place of worship:
(i) is inside an apartment building;
(ii) is not above the first storey of the apartment building;
(iii) does not exceed 30.0 square metres in interior floor area for the first 100 dwelling units in the apartment building, 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
(iv) access to the place of worship must be from within the apartment building, unless it is on a lot with a front lot line or side lot line abutting a major street on the Policy Areas Overlay Map;

(B) if a place of worship is not on a lot with an apartment building, it must:
(i) comply with the specific use regulations in Section 150.50;
(ii) be on a lot with:
   (a) a front lot line or side lot line abutting a major street on the Policy Areas Overlay Map; and
   (b) a lot area of at least 2,000 square metres; and
(iii) be in a building with no more than 3,000 square metres of gross floor area; and

(C) a lawfully existing place of worship is exempt from the requirements of regulation 15.10.20.100(8)(B) (ii) and (iii).

(9) Private Home Daycare
A children's play area for a private home daycare in the RA zone:
(A) must be fenced; and
(B) may be no closer to a lot line abutting a street than 6.0 metres.

(10) Public Utility
In the RA zone, a public utility may not be:
(A) a sewage treatment plant;
(B) a water filtration plant; or
(C) an above-ground water reservoir.

(11) Public Utility
In the RA zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum building height for the RA zone if it is:
(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
(B) a natural gas regulator station.

(12) Respite Care Facility
In the RA zone, a respite care facility must be combined with a nursing home or retirement home.

(13) Retail Stores in Apartment Buildings
In the RA zone, a retail store may be on a lot with 100 or more dwelling units in one or more apartment buildings, 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 with a front lot line or a side lot line abutting a major street on the Policy Areas Overlay Map;
(E) there may be no outside display of goods; and
(F) the interior floor area of the retail store may not exceed 30.0 square metres for the first 100 dwelling units in the apartment building, 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.

(14) Rooming House
A rooming house in the RA zone must comply with the specific use regulations in Section 150.25.

(15) Secondary Suite
A secondary suite in the RA zone must comply with the specific use regulations in Section 150.10.
(16) **Seniors Community House**

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

(17) **Transportation Use**

A building or structure on a lot in the RA zone and used as a transportation use must comply with all requirements for a building on that lot.

(18) **Short-term Rental**

A short-term rental in the RA zone must comply with the specific use regulations in Section 150.13. [By-law: 1453-2017 Enacted]

### 15.10.30 Lot Requirements

#### 15.10.30.10 Lot Area

(1) **Minimum Lot Area**

In the RA zone:

- (A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum lot area, in square metres; and
- (B) if the zone label on the Zoning By-law Map does not include an "a" value on the Zoning By-law Map, the required minimum lot area, in square metres, is the required minimum 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 the RA zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required minimum lot area, in square metres, for each dwelling unit in an apartment building.

#### 15.10.30.20 Lot Frontage

(1) **Minimum Lot Frontage**

In the RA zone:

- (A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum lot frontage, in metres; and
- (B) if the zone label on the Zoning By-law Map does not include a "f" value on the Zoning By-law Map, the required minimum lot frontage is 24.0 metres.

#### 15.10.30.40 Lot Coverage

(1) **Maximum Lot Coverage**

In the RA zone:

- (A) if a lot is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; and
- (B) if a lot is not in an area with a numerical value on the Lot Coverage Overlay Map, no lot coverage applies.

### 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 the 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 the RA zone includes the letter "u", on the Zoning By-law Map, the numerical value following the letter "u" is the permitted maximum number of **dwelling units** on the **lot**.

### 15.10.40.10 Height

(1) **Maximum Height**
The permitted maximum height for a **building** or **structure** on a **lot** in the RA zone is:
- (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
- (B) 24.0 metres, if the **lot** is in an area with no numerical value following the letters "HT" on the Height Overlay Map.

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

### 15.10.40.40 Floor Area

(1) **Floor Space Index**
In the RA zone, the permitted maximum floor space index is:
- (A) the numerical value following the letter "d" in the zone label on the Zoning By-law Map; and
- (B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, 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 the 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) at least 2.0 square metres for each **dwelling unit** is indoor **amenity space** located at or above **established grade**; [ By-law: 1353-2015 ]
- (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**.

### 15.10.40.70 Setbacks

(1) **Minimum Front Yard Setback**
The required minimum **front yard setback** in the RA zone is 6.0 metres.

(2) **Minimum Rear Yard Setback**
The required minimum **rear yard setback** in the RA zone is 7.5 metres.

(3) **Minimum Side Yard Setback**
The required minimum **side yard setback** in the 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 the RA zone with a height greater than 11.0 metres, the required minimum **rear yard setback** and required minimum **side yard setbacks** for each portion of the **building** above 11.0 metres in height must be increased by 1.0 metre 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 required 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 required 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 the 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 the RAC zone.

15.20.20 Permitted Uses

15.20.20.10 Permitted Use

(1) Use - RAC Zone
The following uses are permitted in the RAC zone:
- Ambulance Depot
- Dwelling Unit in a permitted residential 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 the 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 (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)
- Place of Worship (13)
- Production Studio (1)
- Private Home Daycare (14)
- Public Utility (15, 16)
- Recreation Use (1)
- Religious Education Use (1)
Renewable Energy (3)
Residential Care Home (8)
Respite Care Facility (17)
Retail Store (1)
Retail Service (1)
Retirement Home (11)
Rooming House (18)
Secondary Suite (19)
Seniors Community House (20)
Service Shop (1)
Take-out Eating Establishment (1)
Transportation Use (21)
Veterinary Hospital (1)

(1) Use with Conditions - RAC Zone

The following uses are permitted in the RAC zone if they comply with the specific conditions associated with the reference number(s) for each use in Clause 15.20.20.100:

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<thead>
<tr>
<th>Use with Conditions - RAC Zone</th>
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<tbody>
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<td>Religious Education Use (1)</td>
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<td>Renewable Energy (3)</td>
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<tr>
<td>Residential Care Home (8)</td>
</tr>
<tr>
<td>Respite Care Facility (17)</td>
</tr>
<tr>
<td>Retail Store (1)</td>
</tr>
<tr>
<td>Retail Service (1)</td>
</tr>
<tr>
<td>Retirement Home (11)</td>
</tr>
<tr>
<td>Rooming House (18)</td>
</tr>
<tr>
<td>Secondary Suite (19)</td>
</tr>
<tr>
<td>Seniors Community House (20)</td>
</tr>
<tr>
<td>Service Shop (1)</td>
</tr>
<tr>
<td>Short-term Rental (22) [By-law 1453-2017]</td>
</tr>
<tr>
<td>Take-out Eating Establishment (1)</td>
</tr>
<tr>
<td>Transportation Use (21)</td>
</tr>
<tr>
<td>Veterinary Hospital (1) [ By-law: 1453-2017 Enacted ]</td>
</tr>
</tbody>
</table>
15.20.20.40 Permitted Building Types

(1) Permitted Building Types for Dwelling Units
In the RAC zone the following building types for dwelling units are permitted:

(A) Apartment Building.

15.20.100 Conditions

(1) Art Gallery and Other Commercial and Non-Residential Uses
In the 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, takeout 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 are not located above the first storey of an apartment building;
(B) a service shop or a veterinary hospital are located in non-residential buildings on the lot;
(C) if located in an apartment building, the uses may not occupy, in total, more than 50% of the interior floor area of the first storey in that apartment building;
(D) the total interior floor area of the uses may not exceed 400 square metres for the first 100 dwelling units on the lot, which may be increased by 50 square metres of interior floor area for each additional 25 dwelling units in excess of 100, to a maximum of 1,000 square metres of interior floor area;
(E) the interior floor area of an individual establishment may not exceed 200 square metres; and
(F) the calculation of total interior floor area is reduced by the area in the building used for:
   (i) the same building areas as provided for in the calculation of gross floor area for an apartment building in regulation 15.5.40.40(1); 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. [ By-law: 0572-2014 ]

(2) Automated Banking Machine
In the RAC zone, an automated banking machine must be located in a building.

(3) Cogeneration Energy Production or Renewable Energy Production
In the RAC zone, cogeneration energy production or renewable energy production must be in combination 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 the RAC zone:

(A) a community centre or a library may be on a lot with an apartment building, if the lot has 100 or more dwelling units in one or more apartment buildings, and:
   (i) if the community centre or library is located in an apartment building, they may not:
      (a) be above the first storey;
      (b) in total, occupy more than 50% of the interior floor area of the first storey; and
      (c) in total, exceed 600 square metres in interior floor area; and
   (ii) if the community centre or library is not in an apartment building, they may not, in total, exceed 600 square metres in interior floor area; and
(B) if a community centre or a library is not on a lot with an apartment building, it must be on a lot with a front lot line or side lot line abutting a major street on the Policy Areas Overlay Map.

(5) Crisis Care Shelter or Municipal Shelter
In the 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 the RAC zone must comply with the specific use regulations in Section 150.45.

(7) Eating Establishment - Other Uses
In the 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 the 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 the RAC zone must comply with the specific use regulations in Section 150.5.

(10) Market Garden
In the 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 the 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 on the Policy Areas Overlay Map; or
(B) a street which intersects a major street on the Policy Areas Overlay Map, and the lot is located, in whole or in part, within 80 metres of that intersection.

(12) Outdoor Sales or Display
In the RAC zone, the outdoor sale or display of goods or commodities is subject to the following:

(A) the goods or commodities may not be displayed closer to a dwelling unit than 7.5 metres;
(B) despite (A), above, the outdoor sale or display of goods or commodities in combination with a permitted use inside an apartment building may be located abutting that use if the area for the outdoor sale or display of those goods or commodities does not exceed 10 square metres;
(C) the goods or commodities may not be displayed closer to a rear lot line or a side lot line than:

(i) 3.0 metres where the lot line abuts a street; and
(ii) 7.5 metres in all other cases;
(D) the total area for the outdoor sale or display of goods or commodities 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; and
(E) the area for the outdoor sale or display of goods or commodities may not be located in areas required by this By-law for parking, loading, driveways or outdoor amenity space. [By-law: 0572-2014]

(13) Place of Worship
In the RAC zone:

(A) a place of worship may be on a lot with an apartment building, if the lot has 100 or more dwelling units in one or more apartment buildings, and:

(i) if the place of worship is inside an apartment building, it may not:

(a) be above the first storey;
(b) occupy more than 50% of the interior floor area of the first storey; and
(c) exceed 110 square metres in interior floor area; and [By-law: 0572-2014]

(ii) if the place of worship is not inside an apartment building, it may not exceed 110 square metres in interior floor area; [By-law: 0572-2014]

(B) if a place of worship is not on a lot with an apartment building, it must:

(i) comply with the specific use regulations in Section 150.50;
(ii) be on a lot with:
   (a) a front lot line or side lot line abutting a major street on the Policy Areas Overlay Map; and
   (b) a lot area of at least 2,000 square metres; and
   (iii) be in a building with no more than 3,000 square metres of gross floor area; and
   (C) a lawfully existing place of worship is exempt from the requirements of regulation 15.20.20.100(13)(B) (ii) and (iii).

(14) Private Home Daycare
    A children’s play area for a private home daycare in the RAC zone:
    (A) must be fenced; and
    (B) may be no closer to a lot line abutting a street than 6.0 metres.

(15) Public Utility
    In the RAC zone, a public utility may not be:
    (A) a sewage treatment plant;
    (B) a water filtration plant; or
    (C) an above-ground water reservoir.

(16) Public Utility
    In the RAC zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the RAC zone if it is:
    (A) a hydro electric transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
    (B) a natural gas regulator station.

(17) Respite Care Facility
    In the RAC zone, a respite care facility must be combined with a nursing home or retirement home.

(18) Rooming House
    A rooming house in the RAC zone must comply with the specific use regulations in Section 150.25.

(19) Secondary Suite
    A secondary suite in the RAC zone must comply with the specific use regulations in Section 150.15.

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

(21) Transportation Use
    A building or structure on a lot in the RAC zone and used as a transportation use must comply with all requirements for a building on that lot.

(22) Short-term Rental
    A short-term rental in the RAC zone must comply with the specific use regulations in Section 150.13. [ By-law: 1453-2017 Enacted ]

15.20.30 Lot Requirements

15.20.30.10 Lot Area

(1) Minimum Lot Area
    In the RAC zone:
    (A) if a zone label includes the letter "a", on the Zoning By-law Map, the numerical value following the letter "a" is the required minimum lot area, in square metres; and
    (B) if the zone label does not include an "a" value on the Zoning By-law Map, the required minimum lot area, in square metres, is the required minimum 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 the RAC zone includes the letters "au", on the Zoning By-law Map, the numerical value following the letters "au" is the required 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
In the RAC zone:
(A) if a zone label includes the letter "f", on the Zoning By-law Map, the numerical value following the letter "f" is the required minimum lot frontage, in metres; and
(B) if the zone label does not include an "f" value on the Zoning By-law Map, the required minimum lot frontage is 24.0 metres.

15.20.30.40 Lot Coverage

(1) Maximum Lot Coverage
In the RAC zone:
(A) if a lot in the RAC zone is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; and
(B) if a lot in the RAC zone is not in an area with a numerical value on the Lot Coverage Overlay Map, no lot coverage applies.

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 the 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 the RAC zone includes the letter "u", on the Zoning By-law Map, the numerical value following the letter "u" is the permitted maximum number of dwelling units on the lot.

15.20.40.10 Height

(1) Maximum Height
The permitted maximum height for a building or structure on a lot in the RAC zone is:
(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
(B) 24.0 metres, if the lot is in an area with no numerical value following the letters "HT" on the Height Overlay Map.

(2) Maximum Number of Storeys
The permitted maximum number of storeys in a building on a lot in the RAC zone is:
(A) the numerical value following the letters "ST" on the Height Overlay Map; and
(B) if the lot is in an area with no numerical value following the letters "ST" 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 the RAC zone, the permitted maximum floor space index is:
   (A) the numerical value following the letter “d” in the zone label on the Zoning By-law Map; and
   (B) if the zone label on the Zoning By-law Map does not include a "d" value on the Zoning By-law Map, 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 the 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) at least 2.0 square 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.

15.20.40.70 Setbacks

(1) Minimum Front Yard Setback
   The required minimum front yard setback in the RAC zone is 6.0 metres.

(2) Minimum Rear Yard Setback
   The required minimum rear yard setback in the RAC zone is 7.5 metres.

(3) Minimum Side Yard Setback
   The required minimum side yard setback in the 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 the RAC zone with a height
   greater than 11.0 metres, the required minimum rear yard setback and required minimum 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 required 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 required 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) Distance Between Residential and Non-Residential Buildings on the Same Lot

In the RAC zone, if a non-residential building is on the same lot as a residential building, the required minimum above-ground separation distance between the main walls of the non-residential building and the residential building is:

(A) 11.0 metres if there is an opening to a dwelling unit in the main wall of the residential building facing the non-residential building; and

(B) 7.5 metres in all other cases. [By-law: 0572-2014]

(4) Apartment Building Separation from RD and RS Zones

An apartment building in the RAC zone must be at least 15.0 metres from a lot in an RD or RS zone. [By-law: 0572-2014]
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 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 on the Zoning By-law Map indicates the permitted maximum floor space index of all land uses on a lot.

30.5.20 Permitted Uses

30.5.20.1 General

(1) Lawfully Existing Public School, Private 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 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 Section 150.48 and the requirements for the zone in which the lot is located.

(2) Lawfully 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 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 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 the ground 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 the ground 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 average grade and the elevation of the highest point of that structure.

(3) Height of Specific 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) Height - Horizontal Limits on Elements for Functional Operation of a Building
In the Commercial Zone category, equipment, structures or parts of a building that exceed the permitted maximum height for that building in 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) the total horizontal dimension of all equipment, structures, and parts of a building located within 6.0 metres of a lot line abutting a street, 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 Amenity Space Safety and Wind Protection
In the Commercial Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space 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
In the Commercial Zone category, a parapet wall for a green roof may exceed the permitted maximum height for a building 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 the Commercial Zone category the gross floor area of a non-residential building is reduced by the area in the building used for:
   (A) required parking, loading and bicycle parking below-ground;
   (B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
   (C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
   (D) shower and change 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 the 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 permitted maximum floor space index, the lawful floor space index resulting from those lawfully existing buildings is the maximum 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 minimum 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 ground 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 the 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 the Residential Zone category or Open Space Zone category.

30.5.40.71 Setbacks Exemptions

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

In the Commercial 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.

(2) 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 30.5.40.71(1) is the minimum distance 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 that is:

(A) on a building:

(i) must comply with the required minimum building setback; and
(ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and

(B) ground mounted, must comply with the requirements 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 required minimum building setbacks 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 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 the CL zone.

(2) Medical Office
In 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 the CL zone, the following uses are permitted:
Ambulance Depot
Community Centre
Education Use
Financial Institution
Fire Hall
Library
Massage Therapy
Medical Office
Office
Park
Personal Service Shop
Pet Services
Police Station
Retail Service
Service Shop
Veterinary Hospital
Wellness Centre

30.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - CL Zone
In the 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 (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 (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)
30.20.100 Conditions

(1) **Recreation Use**
   In the CL zone, all recreation uses must be within a wholly enclosed building.

(2) **Eating Establishment or Take-out Eating Establishment**
   In the CL zone:
   (A) the permitted 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 in the building used for:
      (i) the same building areas as provided for in the calculation of gross floor area for a non-residential building in regulation 30.5.40.40(1); 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 the CL zone, a vehicle fuel station and vehicle service shop must be on a lot that abuts a major street on the Policy Areas Overlay Map.

(4) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(5) **Retail Store, Eating Space**
   In the 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 the CL zone, the outdoor sale or display of goods or commodities is subject to the following:
   (A) it must be combined 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 required 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 in areas required by this By-law for parking, loading, driveways or landscaping.

(7) **Day Nursery**
   In the CL zone, a day nursery must comply with the specific use regulations in Section 150.45.

(8) **Place of Worship**
   In the CL zone, a place of worship must comply with the specific use regulations in Section 150.50.

(9) **Municipal Shelter**
   In the CL zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(10) **Eating Establishment**
    In the CL zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(11) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(12) **Vehicle Fuel Station**
    In the CL zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(13) **Vehicle Service Shop**
    In the CL zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(14) **Automated Banking Machine**
    In the CL zone, an automated banking machine must be in a building.
(15) **Public Utility**
   In the CL zone, a public utility may 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 on a lot in the CL zone and used as a transportation use must comply with all the requirements for a building on that lot.

(17) **Renewable Energy Production or Cogeneration Energy Production**
   In the CL zone, renewable energy production or cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(18) **Public Utility**
   In the CL zone, a public utility, must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the CL zone if it is:
   (A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
   (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 the 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 the CL zone, the required 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 required minimum lot frontage in this By-law, that lawful lot frontage is the 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 30.20.30.21(1) must comply with all other regulations 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 the CL zone is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted 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 permitted maximum lot coverage, the lawful percentage of the lot covered by those lawfully existing buildings or structures is the maximum 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 regulations 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 the 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**
In the CL zone, the permitted maximum height of a building or structure on a lot is:

   (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
   (B) 10.0 metres, where there is no numerical value following the letters "HT" on the Height Overlay Map.

(2) **Maximum Number of Storeys**
The permitted maximum number of storeys in a building on a lot in the CL zone is:

   (A) the numerical value following the letters "ST" on the Height Overlay Map; and
   (B) if the lot is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of storeys is not limited by this regulation. [By-law: 1353-2015]

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, that lawful height is the 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 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 on the Zoning By-law Map is the total permitted maximum floor space index on the lot.
30.20.40.60 Permitted Encroachments

(1) Permitted Encroachments - Decks, Porches, and Balconies

In the 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, is subject to the following:

(A) in a rear yard, a platform with a floor no higher than the first storey 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 the ground at the applicable side of the platform;

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

(i) the required minimum 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 no higher than the first storey of the building may encroach into the required minimum 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 storey of the building may encroach into the required minimum side yard setback a maximum of 1.5 metres if the side yard abuts a street, but may not encroach into a required minimum side yard setback if the side yard does not abut a street.

(2) Permitted Encroachments - Canopies and Awnings

In the 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), is subject to the following:

(A) if it is 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 minimum 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 minimum building setback:

(i) in a front yard or a rear yard, the lesser of 2.5 metres or 50% of the required minimum front 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, subject to compliance with regulation 30.5.40.60(1).

(3) Permitted Encroachments - Exterior Stairs, Access Ramp and Elevating Device

In the CL zone:

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

(i) are no longer than 1.5 horizontal units for each 1.0 vertical unit above-ground 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 pedestrian access to a building or structure may encroach into a required minimum building setback, if the ramp:

(i) is no longer than 15 horizontal units for each 1.0 vertical unit above the ground 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 minimum 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.

(4) Permitted Encroachments - Exterior Main Wall Surface
In the CL zone, cladding added to the original exterior surface of the main wall of a building, may encroach into a required minimum building setback a maximum of 0.15 metres, if the building is at least 5 years old.

(5) Permitted Encroachments - Architectural Features
In the 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 minimum 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 minimum 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 the 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 and does not touch the ground, may encroach:

(A) into a required minimum front yard setback or required minimum rear yard setback a maximum of 0.75 metres, if the window projections in total do not occupy more than 65% of the width of the front wall or rear main wall at each storey; and
(B) into a required minimum side yard setback a maximum of 0.6 metres, if the window projections:
   (i) in total do not occupy 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 the CL zone, the eaves of the roof on a building may encroach into a required minimum building setback a maximum of 0.9 metres, if they are at least 0.3 metres from all lot lines.

(8) Permitted Encroachments - Equipment
On a building in the CL zone, the following wall mounted equipment may encroach into specified required minimum 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 minimum rear yard setback or required minimum side yard setback a maximum of 0.9 metres, if it is not above the first storey of the building and in a side yard;
(B) a satellite dish may encroach into a required minimum building setback a maximum of 0.9 metres;
(C) an antennae or pole used to hold an antennae may encroach into a required minimum rear yard setback or required minimum side yard setback a maximum of 0.9 metres; and
(D) a vent or pipe may encroach into a required minimum rear yard setback or required minimum side yard setback a maximum of 0.6 metres.

(9) Permitted Encroachments - Required Angular Planes
In the 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 the CL zone:
(A) if a lot is beside one lot in the CL zone, and that abutting lot has a building fronting on the same street and that building is in whole or in part, 15.0 metres or less from the subject lot, the required minimum front yard setback is the front yard setback of that building on the abutting lot;

(B) if a lot is between two abutting lots in the CL zone, each with a building fronting on the same street and those buildings are both in whole or in part, 15.0 metres or less from the subject lot, the required minimum front yard setback is the average of the front yard setbacks of those buildings on the abutting lots; and

(C) in all other cases the required minimum front yard setback is 10.5 metres.

(2) Rear Yard Setback and Side Yard Setback

In the 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 the Residential Zone category or Residential Apartment Zone category; and

(C) where the main wall of a building has 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 the CL zone, if a lot abuts a lot in an O, ON or OR zone, or the 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 the ground 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 the 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 minimum building setback.

30.20.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings

In the CL zone, if the lawful building setback of a lawfully existing building or structure is less than the required minimum building setbacks from:

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

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

(C) a side lot line, the lawful building setback is the minimum side yard setback for that lawfully existing 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 required minimum building setbacks 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 regulation 30.20.40.70(3), that lawfully existing building or structure is exempt from regulation 30.20.40.70(3).

(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 regulation 30.20.40.70(3) or be authorized by a Section 45 Planning Act minor variance.

### 30.20.40.80 Separation

(1) **Separation**

For a **lot** in the CL zone:

(A) if a **main wall** of the **building** has windows and a line projected at a right angle from one of the **main walls** intercepts another **main wall** with windows on the same **lot**, the required minimum above-ground distance between the **main walls** is 11.0 metres; and

(B) if 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 the **main walls** intercepts the other **main wall**, the required minimum above-ground distance between them is 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 required minimum separation distance between **main walls** required by regulation 30.20.40.80(1), that **lawful** separation distance is the minimum separation distance for those **lawful main walls** of those **lawfully existing buildings**.

(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 required minimum separation distance between **main walls** required by regulation 30.20.40.80(1) or be authorized by a Section 45 Planning Act minor variance.

### 30.20.50 Yards

#### 30.20.50.10 Landscaping

(1) **Soft Landscaping Requirement if Abutting a Lot in a Residential Zone or a Residential Apartment Zone**

If a **lot** in the CL zone abuts a **lot** in the 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) **Fence Requirement if Abutting a Lot in a Residential Zone or a Residential Apartment Zone**

In the CL zone, if a **lot** abuts a **lot** in the Residential Zone category or the 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 the CL zone, a **parking space** and a **drive aisle** may not be located in any required **front yard setback** or **side yard setback** that abuts a **street**.

(2) **Parking Area Separation From Lot Line**

In the 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 that is 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 may not be located in:
(A) a front yard;
(B) a side yard abutting a street; or
(C) any side yard or rear yard that abuts a lot in the 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 the CL zone:
(A) if a lot abuts a lane, vehicle access to a loading space must be from the lane; and
(B) if a corner lot does not abut a lane and it has at least one lot line abutting a street that is not a major street on the Policy Areas Overlay Map, vehicle 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 Category or Residential Apartment Zone Category
In the CL zone, where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, vehicle access to the loading space may not be over 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 in a building may not have its vehicle 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 lawful loading space vehicle access in a main wall that does not comply with the loading space location requirements of regulation 30.20.90.40(3), that lawful loading space is exempt from the requirements of regulation 30.20.90.40(3).
30.20.100 Access to Lot

30.20.100.10 Location

(1) Driveway Access to a Lot - Landscaping Area Exemption
In the CL zone, a driveway providing direct vehicle access from a street or lane may cross a required landscaping area.

(2) Parking Areas adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone Category
In the CL zone, where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, vehicle access to a parking space may not be over 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
In the CL zone:

(A) all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013; and

(B) if 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 the 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 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 permitted maximum 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" and a numerical value indicating the permitted maximum floor space index for non-residential uses on a lot; and
   (ii) the letter "r" and a numerical value indicating the permitted maximum floor space index for residential uses on a lot; and
(B) the Development Standard Set symbol (SS) and number indicates the set of development standards 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) Required Minimum Building Setback from a Front Lot Line;
(B) Permitted Maximum Building Setback from a Front Lot Line;
(C) Required Minimum Building Setback from a Rear Lot Line;
(D) Required Minimum Building Setback from a Side Lot Line;
(E) Required Building Angular Plane from a Front Lot Line or Side Lot Line abutting a street;
(F) Required Building Angular Plane from a Rear Lot Line;
(G) Required Minimum Landscaping Area on a Lot; and
(H) Permitted Maximum Building Height.

40.5.1.20 Restrictions

(1) Living Accommodation in Ancillary Buildings
In the 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 the Commercial Residential Zone category does not front on a street and has its only vehicle 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 required parking spaces.
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 the ground along the front lot line, or in the case of a corner lot the average elevation of the ground 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 average grade and the elevation of the highest point of the structure.

(3) Height of Specific 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 permitted maximum height for a building, 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 Amenity Space Safety and Wind Protection Elements
In the Commercial Residential Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space 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
In the Commercial Residential Zone category, a parapet wall for a green roof may exceed the permitted maximum height for a building by 2.0 metres.
40.5.40.40 Floor Area

(1) **Gross Floor Area Calculations for a Non-residential Building in the Commercial Residential Zone Category**

In the Commercial Residential Zone category the gross floor area of a non-residential building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below-ground;
(B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change 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 the Commercial Residential Zone Category**

In the 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 the Commercial Residential Zone Category**

In the Commercial Residential Zone category the gross floor area of a mixed use building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below-ground;
(B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change facilities required by this By-law for required bicycle parking spaces;
(E) amenity space required by this By-law;
(F) elevator shafts;
(G) garbage shafts;
(H) mechanical penthouse; and
(I) exit stairwells in the building.

(4) **Floor Space Index Calculation for a Mixed Use Building in the Commercial Residential Zone Category**

In the 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 the Commercial Residential Zone Category**

In the Commercial Residential Zone category the gross floor area of an apartment building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below-ground;
(B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change facilities required by this By-law for required bicycle parking spaces;
(E) amenity space required by this By-law;
(F) elevator shafts;
(G) garbage shafts;
(H) mechanical penthouse; and
(I) exit stairwells in the building.

(6) **Floor Space Index Calculation for an Apartment Building in the Commercial Residential Zone Category**

In the 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 Regarding Attic Space in a Townhouse in the Commercial Residential Zone Category**

In the Commercial Residential Zone category, the gross floor area of a townhouse 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, and at least 80% of the area has a vertical clearance of more than 2.0 metres and an area of at least 10.0 square metres.

(8) Exclusion of Certain Floor Area in an Attic Space in a Townhouse in the Commercial Residential Zone Category
If the floor area meets the conditions in regulation 40.5.40.40(7), and the area or a portion of the area is used for housing or maintaining mechanical equipment for the townhouse and does not exceed 20.0 square metres, the floor area or portion thereof is not included in the gross floor area of the townhouse.

(9) Gross Floor Area Calculations for a Townhouse in the Commercial Residential Zone Category
In the Commercial Residential Zone category, the gross floor area of a townhouse may be reduced by:
(A) the floor area of the basement, unless the established grade is higher than the average elevation of the ground 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 a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum gross floor area for the building; and
(C) the area of required parking spaces in the building.

(10) Floor Space Index Calculation for a Townhouse Building in the Commercial Residential Zone Category
In the Commercial Residential Zone category, the floor space index for a townhouse building is the result of the gross floor area, plus the area of an attic described in regulation 40.5.40.40(7) and subject to regulation 40.5.40.40(8) minus the areas listed in regulation 40.5.40.40(9), 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 minimum 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 ground 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 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 the 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 the 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 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.

(2) Additions Above Lawfully Existing Buildings in Relation to a Lane
The required 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 40.5.40.71(1) is the minimum distance 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 that is:

(i) must comply with the required minimum building setbacks for a building on the lot; and
(ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and

(B) ground mounted, must comply with the requirements 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 required minimum building setbacks 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 the 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 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 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 the 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 the 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
Massage Therapy
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
Wellness Centre

(B) In the 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 in Clause 40.10.20.40
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 the 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) 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, 47)
- Cabaret (1)
- Club (1)
- Cogeneration Energy (56)
- Custom Workshop (16)
- Day Nursery (27)
- Drive Through Facility (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 (40)
- Private School (28)
- Public Parking (7,8,9,10,11)
- Public School (28)
- Public Utility (54,57)
- Recreation Use (1, 46)
- Renewable Energy (56)
- Retail Service (17)
- Service Shop (6)
- 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)
### 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 (40)
- Private School (28)
- Public Parking (7,8,9,10,11)
- Public School (28)
- Public Utility (54,57)
- Recreation Use (1, 46)
- Renewable Energy (56)
- Retail Service (17)
- Service Shop (6)

### 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)

#### (B) In the 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) 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)
- Secondary Suite (58)
- Seniors Community House (42)
- Tourist Home (22)

#### (B) In the 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) 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)
- Secondary Suite (58)
- Seniors Community House (42)
- Short-term Rental (3) [By-law 1453-2017]
- Tourist Home (22) [By-law: 607-2015 Under Appeal]

## 40.10.20.40 Permitted Building Types

### (1) Permitted Building Types for Dwelling Units

In the CR zone the following building types for dwelling units 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; and

(C) **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) on the Policy Overlay Map.

### 40.10.20.41 Permitted Building Types Exemptions

1. **Lawfully 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 the CR zone is permitted on that lot and any 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**

   In the CR zone:
   - (A) 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 the 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 of total interior floor area is reduced by:
     - (i) the interior floor area used for item listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I); and
     - (ii) in the case of an eating establishment or take-out eating establishment, the interior floor 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, on a lot that is more than 6.1 metres from a lot in the Residential Zone category or Residential Apartment Zone category, nor on a lot in the CR zone and subject to Development Standard Set 3 (SS3).

2. **Nightclub**

   In the 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 only on the first storey;
   - (C) it must be on a lot that does not abut a lot in the Residential Zone category or Residential Apartment Zone category; and
   - (D) it must be the only nightclub in the building.

(3) **Short-term Rental**

A short-term rental in the CR zone must comply with the specific use regulations in Section 150.13. [By-law: 1453-2017 Enacted]

(4) **Hotel Location in a Building with Dwelling Units**

In the CR zone, no hotel room or suite may be located in the same storey as a dwelling unit.

(5) **Hotel Location in a Building with Dwelling Units**

(THIS DOES NOT CURRENTLY CONTAIN A REGULATION)
(6) **Service Shop**

In the CR zone, the permitted 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 is reduced by the area the interior floor area used for item listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I).

(7) **Public Parking - Location**

In the CR zone, public parking:

(A) may not be in an above-ground 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 the CR zone, the entrance or exit to land with public parking may only be through a zone that permits public parking.

(9) **Public Parking if Abutting a Lot in the Residential Zone Category or the Residential Apartment Zone Category**

In the 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 the Residential Zone category or Residential Apartment Zone category.

(10) **Public Parking Attendant Shelter**

In the CR zone, one building for parking attendants is permitted on a lot with a 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 the 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 the Residential Zone category or Residential Apartment Zone category.

(12) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(13) **Vehicle Fuel Station and Vehicle Service Shop Location**

In the CR zone, a vehicle fuel station and a vehicle service shop must be on a lot that abuts a major street on the Policy Areas Overlay Map.

(14) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(15) **Laboratory**

In the CR zone, the interior floor area of a laboratory may not exceed an area equivalent to the interior floor area of the first storey of the building in which it is located. The calculation of total interior floor area is reduced by the interior floor area used for item listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I).

(16) **Custom Workshop**

In the CR zone, the permitted 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 is reduced by the interior floor area used for item listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I).

(17) **Retail Service**

In the CR zone, the permitted 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 is reduced by the interior floor area used for item listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I).

(18) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(19) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(20) **Outdoor Sales or Display**

In the CR zone, the outdoor sale or display of goods or commodities is subject to the following:
(A) it must be combined 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 the Residential Zone category or Residential Apartment Zone category;
(C) the cumulative area of the outdoor sale or display of goods or commodities may not be more than 25% of the gross floor area of the premises it is associated with, up to a maximum of 1500 square metres;
(D) the area for the outdoor sale or display of goods or commodities may not be located in areas required by this By-law for parking, loading, driveways or landscaping; and
(E) there may be no storage or warehousing of goods in a vehicle. [By-law: PL130592 Nov21_2018]

(21) Outdoor Patio

In the CR zone:

(A) an outdoor patio must be combined with one of the following uses and comply with the requirements 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 permitted maximum area of an outdoor patio is the greater of:
   (i) 30.0 square metres; or
   (ii) 30% of the interior floor area of the premises it is associated with;

(C) an outdoor patio may not be used to provide entertainment such as performances, music and dancing; and [By-law: 1676-2013]

(D) an outdoor patio must be set back at least 30.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category. [By-law: 1676-2013]

(E) despite regulation (D) above, an outdoor patio located above the first storey of the building, must be at least 40.0 metres;
   (I) measured horizontally, from a lot in the Residential Zone category or Residential Apartment Zone category. [By-law: 1676-2013]

(F) an outdoor patio in the rear yard of a lot which abuts a lot in the 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 a lawfully existing outdoor patio is closer to a lot than required in (D) or (E) above, that lawful distance from a lot in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that lawfully existing outdoor patio from that lot.

(22) Tourist Home

In the CR zone, a tourist home:

(A) must be in:
   (i) a townhouse; or
   (ii) in a lawfully existing detached house or semi-detached house; and

(B) may not have vehicle access by a mutual driveway.

(23) Amusement Arcade - Size

In the CR zone, an amusement arcade:

(A) may be in a building that:
   (i) has a minimum gross floor area of 20,000 square metres; and
(ii) has no residential uses listed in Clause 40.10.20.10 or 40.10.20.20;

(B) must 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) may only be accessible from the interior of the building.

(24) Funeral Home
In the CR zone, a funeral home must comply with the specific use regulations in Section 150.120.

(25) Vehicle Washing Establishment
In the CR zone, a vehicle washing establishment must comply with the specific use regulations in Section 150.96.

(26) Vehicle Dealership
In the CR zone, a vehicle dealership must comply with the specific use regulations in Section 150.90.

(27) Day Nursery
In the CR zone, a day nursery must comply with the specific use regulations in Section 150.45.

(28) Public School, Private School
In the 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 the 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 300.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the banquet hall is combined with a hotel.

(30) Group Home
In the CR zone, a group home must comply with the specific use regulations in Section 150.15.

(31) Municipal Shelter
In the CR zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(32) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(33) Eating Establishment
In the CR zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(34) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(35) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(36) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(37) Drive Through Facility
In the CR zone, a drive through facility must comply with the specific use regulations in Section 150.80.

(38) Vehicle Fuel Station
In the CR zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(39) Vehicle Service Shop
In the CR zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(40) Place of Worship
In the CR zone, a place of worship must comply with the specific use regulations in Section 150.50.

(41) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(42) Seniors Community House
In the CR zone, a seniors community house must comply with the specific use regulations in Section 150.30.

(43) Crisis Care Shelter
In the CR zone, a crisis care shelter must comply with the specific use regulations in Section 150.20.

(44) Private Home Daycare
In the 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) a children's play area for the **private home daycare**:

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

(45) **Home Occupation**

In the 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 the 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 the CR zone, an **amusement arcade** may 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) 150.0 metres from another **lot** with an **amusement arcade**; and
(ii) 300.0 metres from a **lot** with a **public school** or **private school**.

(48) **Rooming House**

In the CR zone, a rooming house must comply with the specific use regulations in Section 150.25.

(49) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(50) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(51) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(52) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(53) **THIS DOES NOT CURRENTLY CONTAIN A REGULATION**

(54) **Public Utility**

In the CR zone, a **public utility** may not be:

(A) a sewage treatment plant; or
(B) a water filtration plant.

(55) **Transportation Use**

A **building** or **structure** on a **lot** in the CR zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(56) **Renewable Energy Production or Cogeneration Energy Production**

In the CR zone **renewable energy** production or **cogeneration energy** production must be in combination with another permitted use on the **lot**, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(57) **Public Utility**

In the CR zone, a **public utility**, must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the CR zone if it is:

(A) a hydro electrical transformer station: or [By-law: OMB PL130592 February 7, 2017]
(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 the CR zone, if two or more lots are developed together, the requirements in this By-law apply collectively to the parts of the lots within the CR zone.

40.10.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in a CR zone
In the CR zone, the required 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 required minimum lot frontage, that lawful lot frontage is the 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 regulations 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 the CR zone:
(A) if a lot is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area, and
(B) if a lot is not in an area with a numerical value on the Lot Coverage Overlay Map, no 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 permitted maximum lot coverage, the lawful portion of the lot covered by those lawfully existing buildings or structures is the maximum 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 regulations 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 the CR zone has a mixed use building, all residential use portions of the building must be located above non-residential use portions.
(1) **Location of Commercial Uses in a Mixed Use Building Condition**

If a lot in the CR zone has a **mixed use building**, all residential use portions of the building must be located above non-residential use portions of a building, other than:

(A) residential lobby access; and

(B) on a **corner lot**, **dwelling units** may be located in the first **storey** of a building if:

(i) the **dwelling units** have direct access to a **street** which is not a major street on the Policy Areas Overlay Map; and

(ii) the **dwelling units** are located to the rear of the non-residential uses on the first **storey**. [By-law: 607-2015 Under Appeal]

(2) **Commercial Uses - Location of Entrances and First Floor Elevation**

For any non-residential use in the CR zone, excluding a **place of worship**, the floor level of the first **storey** must:

(A) be within 0.2 metres of the ground 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 0.04 metres vertically for every 1.0 metre horizontally.

(C) Regulations 40.10.40.1(2)(A) and (B) do not apply to a **transportation use** along Eglinton Avenue West and Eglinton Avenue East, provided that the building is accessible to persons with disabilities. [103-2016] [By-law: 1031-2014]

(3) **Residential Use Orientation to Street**

In the CR zone, a building with a **dwelling unit** may 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 the 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-ground 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 the CR zone, pedestrian access for a lot which abuts a lot in the Residential Zone category or Residential Apartment Zone category, or is separated from a lot in the Residential Zone category or Residential Apartment Zone category by a lane or a street:

(A) may not be within 12.0 metres of a lot in the 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) the lot is located in the CR zone subject to Development Standard Set 1 (SS1) south of Bloor Street West or Bloor Street East; or

(ii) the building on the lot is a **place of worship**. [By-law: 580-2017]
40.10.40.10 Height

(1) Development Standard Set 1 - Maximum Height
In the CR zone subject to Development Standard Set 1 (SS1), the permitted maximum height of a building or structure on a lot is:

(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
(B) 16.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map; 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 the 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" on the Height Overlay Map; or
(B) 14.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map.

(3) Development Standard Set 3 - Maximum Height
In the CR zone subject to Development Standard Set 3 (SS3), the permitted maximum height of a building or structure on a lot is:

(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
(B) 11.0 metres, if there is no numerical value following the letters "HT" on the Height Overlay Map.

(4) Required Minimum Height in Certain CR Zones
In the CR zone:

(A) If a lot has a zone label with an "r" value referred to in regulation 40.5.1.10(3)(ii) that is greater than 0.0 and the lot is located in whole or in part in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), or Policy Area 4 (PA4) on the Policy Areas Overlay Map, the required minimum height of a building or structure is 10.5 metres and it must have at least 3 storeys; and
(B) The required minimum height and storeys requirement in regulation (A) does not apply to a vehicle fuel station.

(5) Minimum Height of First Storey
In the CR zone, the required minimum height of the first storey, is measured between the floor of the first storey and the ceiling of the first storey, is 4.5 metres.

(6) Place of Worship Height of First Storey Exemption
In the CR zone, a place of worship is exempt from regulation 40.10.40.10 (5).

(7) Maximum Number of Storeys
The permitted maximum number of storeys in a building on a lot in the CR zone is:

(A) the numerical value following the letters "ST" on the Height Overlay Map; and
(B) if the lot is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of storeys is not limited by this regulation. [By-law: 1353-2015]

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 permitted maximum height, that lawful height is the 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 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 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 minimum height permitted in regulation 40.10.40.11(3).

(5) **Required Minimum Height of First Storey 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 required minimum first *storey* height, that *lawful* first *storey* height is the minimum first *storey* height for that *lawfully existing building* or *structure*.

(6) **Additions to Lawfully Existing Buildings - Minimum First Storey 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 minimum first *storey* height permitted in regulation 40.10.40.11(5).

(7) **Transportation Use Exemption**

A building used only for a *transportation use* that is part of a transit facility along Eglinton Avenue West or Eglinton Avenue East is not required to comply with regulations 40.10.40.10(4) and 40.10.40.10(5). [103-2016] [By-law: 1031-2014]

### 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 on the Zoning By-law Map have the following application:

- (A) the numerical value following the zone symbol is the total permitted 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 permitted 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 permitted maximum floor space index for residential uses on the *lot*.

(2) **Heritage Site - Designated Buildings Gross Floor Area Exclusion and Requirement**

In the CR zone, a *building* designated as a *heritage site* pursuant to the Ontario Heritage Act R.S.O. 1990, c. O.18, as amended, may be used for a 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 permitted maximum * gross floor area*; and
  - (ii) the uses permitted in the addition or extension, combined 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 the CR zone subject to Development Standard Set 1 (SS1), the *gross floor area* of a *non-residential building* or *mixed use building* is reduced by the area in the *building* 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 the ground;
  - (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 lawful gross floor area of lawfully existing buildings on a lot results in a floor space index greater than the permitted maximum floor space index, the lawful floor space index resulting from those lawfully existing buildings is the maximum floor space index for those lawfully existing buildings, if the lawful floor space index for non-residential uses and the lawful floor space index for residential uses does not change.

(2) REPLACE THIS HEADING
Regulation 40.10.40.40(1) does not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the lot. [103-2016] [By-law: 1031-2014]

40.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space for Buildings with 20 or More Dwelling Units
In the 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, of which:

(A) at least 2.0 square metres for each dwelling unit is indoor amenity space;" [By-law: 1353-2015]  
(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.

(2) Amenity Space for Buildings with Non-Residential Uses in SS1 Areas
In the CR zone subject to Development Standard Set (SS1), if a building with non-residential gross floor area is on a lot with one or more lot lines exceeding 12.0 metres in length and which abut a street, outdoor amenity space must be provided at a minimum rate of:

(A) the lesser of 1.5% of the non-residential interior floor area in the building, 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 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 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 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 regulation 40.10.40.50(1).
(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 regulation 40.10.40.50.(2).

### 40.10.40.60 Permitted Encroachments

#### (1) Permitted Encroachments - Decks, Porches and Balconies

In the 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 **storey** of the **building** may encroach into the required minimum **building setback**, the lesser of 2.5 metres or 50% of the required minimum **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 the 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 **storey** of the **building** may encroach into the required minimum **building setback** a maximum of 1.5 metres; and

(C) in the 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 **storey** of the **building** must:

(i) be located above the first three **storeys** of the **building** above-ground;

(ii) be located entirely behind the front **main wall** of the three **storeys** of the **building** above-ground; 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 the 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 minimum **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 the CR zone:

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

(i) no longer than 1.5 horizontal units for each 1.0 vertical unit above-ground 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; and

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

(i) no longer than 15 horizontal units for each 1.0 vertical unit above-ground 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 minimum **building setback**, if the elevating device:
(i) elevates no higher than the first **storey** 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 the CR zone cladding added to the original exterior surface of the **main wall** of a **building**, may encroach into a required minimum **building setback** a maximum of 0.15 metres, if the **building** is at least 5 years old.

(5) **Permitted Encroachments - Architectural Features**

In the 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 minimum **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, on a **building**, may encroach into a required minimum **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 the 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 and does not touch the ground, may encroach:

(A) into a required minimum **front yard setback** or required minimum **rear yard setback** a maximum of 0.75 metres, if the window projections 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 minimum **side yard setback** a maximum of 0.6 metres, if the window projections:

(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 the CR zone, roof projections must comply with the following:

(A) 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 minimum **building setback** for the building's **main wall**; and

(B) the eaves may encroach into a required minimum **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 the CR zone, the following wall mounted equipment may encroach into a required minimum **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 minimum **rear yard setback** or required minimum **side yard setback** if it is not located above the first **storey**;

(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 minimum **rear yard setback** or **side yard setback**; and

(D) a vent or pipe a maximum of 0.6 metres into a required minimum **rear yard setback** or required minimum **side yard setback**.

(9) **Permitted Encroachments - Required Angular Planes**

In the 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 the CR zone subject to Development Standard Set 1 (SS1), a **building** or **structure** is subject to the following:
In the CR zone subject to Development Standard Set 2 (SS2), a Development Standard Set 2 - Building Setbacks

for the purpose of regulation 40.10.40.70(2)(E):

(A) at least 75% of the main wall of the building facing a front lot line must be 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;

(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 the Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required; and

(D) a place of worship is exempt from regulation (A) above.

(2) Development Standard Set 2 - Building Setbacks

In the 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 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; and

(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 the Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required;

(E) if a lot abuts a lot in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category, 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; and

(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 the lot fronts in column A:

<table>
<thead>
<tr>
<th>Width of street right-of-way</th>
<th>Lot depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>(column A)</td>
<td>(column B)</td>
</tr>
<tr>
<td>20 metres</td>
<td>32.6 metres</td>
</tr>
<tr>
<td>23 metres</td>
<td>36.2 metres</td>
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<tr>
<td>27 metres</td>
<td>41.0 metres</td>
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<tr>
<td>30 metres</td>
<td>44.6 metres</td>
</tr>
<tr>
<td>33 metres</td>
<td>48.2 metres</td>
</tr>
</tbody>
</table>
In the 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 street that is not a major street on the Policy Areas Overlay Map; and

(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 the Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required;

(D) if a lot abuts a lot in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category, no building on the lot in the CR Zone may 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; and

(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 fronts in column A;
   (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 the lot fronts in column A:

<table>
<thead>
<tr>
<th>Width of street right-of-way</th>
<th>Lot depth</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
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<td>36.2 metres</td>
</tr>
<tr>
<td>27 metres</td>
<td>41.0 metres</td>
</tr>
</tbody>
</table>
134

(iii) the specified height above the required minimum rear yard building setback at which the angular plane is to be measured, must be taken from the average elevation of the ground along the rear lot line; and

(iv) where a lot fronts 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 applies.

(4) Minimum Building Setback from Front Lot Line for Residential Uses on the First Storey

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 May 9, 2013, any portion of a building with dwelling units located in the first storey 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 storey is located at least 0.9 metres and a maximum of 1.2 metres above the average elevation of the ground along the front lot line.

(5) Building Setbacks Below Grade - Development Standard Set 1 and Development Standard Set 2

(DELETED BY OMB ORDER, JULY 12, 2017 – PL130592) [ By-law: OMB PL130592 ]

40.10.40.71 Setbacks Exemptions

(1) Permitted Building Setbacks for Lawfully Existing Buildings

In the CR zone:

(A) If the lawful building setback of a lawfully existing building or structure is more than the permitted maximum building setback from a front lot line, that lawful building setback is the permitted maximum front yard setback for that lawfully existing building or structure; and

(B) In the CR zone, if the lawful building setback of a lawfully existing building or structure is less than the required minimum building setback from:

(i) a rear lot line, that lawful building setback is the minimum rear yard setback for that lawfully existing building or structure; or

(ii) a side lot line, that lawful building setback is the minimum side yard setback for that lawfully existing 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 permitted maximum and required minimum building setbacks 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.

(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 required angular planes or be authorized by a Section 45 Planning Act minor variance.

(5) Transportation Use Exemption

Regulations 40.10.40.70(1)(2) and (3) do not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that the setbacks are between 0 and 110 metres. [By-law 103-2016]

[ By-law: 1031-2014 ]
40.10.40.80 Separation

(1) Separation of Building Walls - Development Standard Set 1
For a lot in the 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 required 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 required minimum above-ground distance between the main walls is 5.5 metres.

(2) Separation of Building Walls - Development Standard Set 2 and Development Standard Set 3
For a lot in the 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 that main wall intercepts another main wall with windows on the same lot, the required 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 required minimum above-ground distance between the main walls 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 on the same lot, or between main walls of the same lawfully existing building, is less than the required minimum separation distance between main walls, that lawful separation distance is the minimum separation distance for those lawful main walls of those lawfully existing buildings.

(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 required minimum separation distance between main walls 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 Zone
In the CR zone:

(A) subject to Development Standard Set 1 (SS1), or Development Standard Set 2 (SS2), no landscaping is required unless regulation 40.10.50.10(3) applies; 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) **Fence Requirement if Abutting a Lot in the Residential or Residential Apartment Zone Category**

In the CR zone, if a lot abuts a lot in the Residential Zone category or the 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 if Abutting a Lot in the Residential or Residential Apartment Zone Category**

If a lot in the CR zone abuts a lot in the 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.

### 40.10.50.11 Landscaping Exemptions

(1) **Landscaping Exemptions**

Regulations 40.10.50.10(1) and (3) do not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East. [103-2016] [By-law: 1031-2014]

### 40.10.80 Parking

#### 40.10.80.10 Location

(1) **Location of Outdoor Surface Parking- SS1 and SS2 Areas**

In the 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 that is not in a building or structure must be set back at least 0.5 metres from a lot line.

(2) **Location of Outdoor Surface Parking- Corner Lots in SS2 Area**

On a corner lot in the 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 the 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 the CR zone, if a mixed use building has a minimum of 30 dwelling units, the requirement for a Type "G" loading space, is satisfied if a Type "A" loading space or a Type "B" loading space required for the non-residential uses in the building is constructed to the larger applicable length, width or vertical clearance dimensions of a Type "G" loading space, referred to in regulation 220.5.1.10(8). [By-law: 1429-2017]

(2) **Loading Space Options Mixed Use Buildings**

In the 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 side yard or rear yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category.

40.10.90.11 Location Exemptions

(1) Loading Space Location Exemption
   If a lawfully existing building has a loading space that does not comply with the loading space location requirements of regulation 40.10.90.10(1), that lawful 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 the CR zone:
   (A) where a lot abuts a lane, vehicle 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 on the Policy Areas Overlay Map, vehicle access to a loading space must be from the street which is not a major street.

(2) Loading Restrictions if Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category
   In the CR zone where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, vehicle access to the loading space may not be over any part of a lot in the Residential Zone category or Residential Apartment Zone category.

(3) Conditional Combined Access to a Loading Space
   In a CR zone, a lot subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2) access to a loading space is permitted across a lot line that abuts a street if:
   (A) a loading space cannot be provided on a lot in accordance with the requirements of regulation 40.10.90.40 (1); and
   (B) the access to the loading space is combined with the vehicle access permitted in 40.10.100.10(1)(C). [ By-law: PL130592 Nov21_2018 ]

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).

(2) Access to a Loading Space Exemption
   If a lot has a lawfully existing access for loading spaces that does not comply with the location requirements of regulation 40.10.90.10(1), that lawful access is exempt from the requirements of regulation 40.10.90.40(1). [ By-law: 607-2015 Under Appeal ]
40.10.100 Access to Lot

40.10.100.10 Location

(1) Vehicle Access - Restrictions
In the 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 on the Policy Areas Overlay Map, 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) above, do not apply to restrict the following uses:
   (i) Ambulance Depot
   (ii) City Services, referred to in regulation 5.10.20.1(1);
   (iii) Fire Hall;
   (iv) Police Station or
   (v) Vehicle Fuel Station.

(1) Vehicle Access – Restrictions
In a CR zone, for a lot subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2):
(A) if the lot abuts a lane, vehicle access to that lot must be from the lane; and
(B) if the corner lot does not abut a lane and has at least one lot line abutting a street which is not a major street on the Policy Areas Overlay Map, vehicle access to that lot must be from a street which is not a major street;
(C) only one vehicle access is permitted; and
(D) regulations (A), (B), and (C) above, do not apply to restrict the following uses:
   (i) Ambulance Depot
   (ii) City Services, referred to in regulation 5.10.20.1(1);
   (iii) Fire Hall;
   (iv) Police Station or
   (v) Vehicle Fuel Station. [By-law: 607-2015 Under Appeal]

(2) Access to Parking Areas if Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category
In the CR zone, where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, vehicle access to a parking space may not be over any part of a lot in the Residential Zone category or Residential Apartment Zone category.

40.10.100.11 Location Exemptions

(1) Vehicle Access Exemption
   If a lot has a lawfully existing access for vehicles that does not comply with the location requirements of regulation 40.10.100.10(1), that lawful access is exempt from the requirements of regulation 40.10.100.10(1). [By-law: 607-2015 Under Appeal]

40.10.150 Waste

40.10.150.1 General

(1) Waste and Recyclable Materials Storage
In the CR zone:
(A) all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
(B) if 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 the 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 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 permitted maximum 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 permitted maximum floor space index for non-residential uses on a lot;
   (ii) the letter "r" and a numerical value indicates the permitted maximum floor space index for residential uses on a lot; and
   (iii) the letter `e' and a numerical value indicates the permitted maximum floor space index 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 the Commercial Residential Employment Zone category does not front on a street and has its only vehicle 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 required parking spaces.

(2) Living Accommodation in Ancillary Buildings
In the Commercial Residential Employment Zone category, ancillary buildings may not be used for living accommodation.

50.5.20 Permitted Uses

50.5.20.1 General

(1) Firearm Manufacturing
The making of a firearm or any part of a firearm is not a permitted manufacturing use in the Commercial Residential Employment Zone category.

(2) Firearms Manufacturing Interpretation
A gunsmith or custom workshop that makes a firearm is a manufacturing use and must comply with regulation 50.5.20.1(1).

(3) Firearm Manufacturing for the Entertainment Industry
Despite regulation 50.5.20.1(1) and (2), 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.
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 the Commercial Residential Employment Zone category, the height of a building is the distance between the average elevation of the ground along the front lot line, or in the case of a corner lot, the average elevation of the ground 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 the Commercial Residential Employment Zone category the height of a structure that is not a building is the distance between average grade and the elevation of the highest point of that structure.

(3) Height of Specific 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 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) Height - Horizontal Limits on Elements for Functional Operation of a Building
In the Commercial Residential Employment Zone category, equipment, structures or parts of a building that exceed the maximum height for a building, 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 Amenity Space Safety and Wind Protection Elements
In the Commercial Residential Employment Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space 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
In the Commercial Residential Employment Zone category, a parapet wall for a green roof may exceed the permitted maximum height for a building 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 the Commercial Residential Employment Zone category the gross floor area of a non-residential building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below-ground;
(B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change 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 the 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 the Commercial Residential Employment Zone category the gross floor area of a mixed use building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below-ground;
(B) required loading spaces on the ground level and required bicycle parking spaces at or above-ground;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change facilities that are required by this By-law for required bicycle parking spaces;
(E) amenity space required by this By-law;
(F) elevator shafts;
(G) garbage 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 the 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 the Commercial Residential Employment Zone category the gross floor area of an apartment building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below-ground;
(B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change facilities that are required by this By-law for required bicycle parking spaces;
(E) amenity space required by this By-law;
(F) elevator shafts;
(G) garbage 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 the 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.
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 the Commercial Residential Employment Zone category, the gross floor area of a detached house, semi-detached house, townhouse, duplex, triplex, or fourplex 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, and at least 80% of the area has a vertical clearance of more than 2.0 metres and an area of at least 10.0 square metres.

Exclusion of Certain Floor Area in an Attic for Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex in a Commercial Residential Employment Zone Category

If the floor area meets the conditions in regulation 10.5.40.40(1), and the area or a portion of the area is used for housing or maintaining mechanical equipment for the building and does not exceed 20.0 square metres, the floor area or portion thereof is not included in the gross floor area of the building.

Gross Floor Area Calculations for a Detached House, Semi-Detached House, Townhouse, Duplex, Triplex, or Fourplex in a Commercial Residential Employment Zone Category

In the 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:

(A) the floor area of the basement, unless the established grade is higher than the average elevation of the ground 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 a void in a floor if there is a vertical clearance of more than 4.5 metres between the top of the floor below the void and the ceiling directly above it, to a maximum of 10% of the permitted maximum gross floor area for the building;
(C) the area of required parking spaces in the building; and
(D) in addition to (C) above, the area used for one additional parking space in a detached house on a lot with a lot frontage of more than 12.0 metres.

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 the 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, plus the area of an attic described in regulation 50.5.40.40(7) and subject to regulation 50.5.40.40(8) minus the areas listed in regulation 50.5.40.40(9), 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 lawful gross floor area of lawfully existing buildings or structures on a lot results in a floor space index greater than the permitted maximum floor space index, the lawful floor space index resulting from those lawfully existing buildings or structures on that lot is the maximum 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 minimum 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 ground 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 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 the 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 the Residential Zone category, Residential Apartment Zone category or Open Space Zone category.

50.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Building from a Lane
In the Commercial Residential Employment Zone category, if the lawful distance of a lawfully existing building or structure from the original centreline of a lane is less than the required minimum distance from the original centreline of the lane, that lawful distance is the minimum distance from the original centreline of the lane for that lawfully existing building or structure.

(2) Additions Above Lawfully Existing Buildings in Relation to a Lane
The required 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 50.5.40.71(1) is the minimum distance 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 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 that is:

(A) on a building:
   (i) must comply with the required minimum building setbacks for a building on the lot; and
   (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and

(B) ground mounted, must comply with the requirements 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 required minimum building setbacks 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 the Residential Zone category or Residential Apartment Zone category, by 3.0 metres;
(B) if 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 Employment Zone category, any above-ground part of a geo-energy device must comply with the requirements 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 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 the CRE zone.

(2) Medical Office
In 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 the 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
- Massage Therapy
- 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
- Wellness Centre

(B) In the 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 in Clause 50.10.20.40
Hospice Care Home
Nursing Home
Religious Residence
Residential Care Home
Retirement Home
Student Residence

(C) In the 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 Use
Bindery
Carpenter's Shop
Cold Storage
Computer, Communications, Electronics, or Optical Media Manufacturing Use
Dry Cleaning or Laundry Plant
Furniture Manufacturing Use
Industrial Sales and Service Use
Medical Equipment and Supplies Manufacturing Use
Metal Products Manufacturing Use
Printing Establishment
Self-storage Warehouse
Warehouse
Wholesaling Use

50.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions - CRE Zone

(A) In the CRE zone, the following uses are permitted under the "c" in the zone label referred to in regulation 50.5.1.10(3)(A)(i) 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 (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 the 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)(iii) 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)

(B) In the 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) 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 the 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) 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 Use** (12)
- Clay Product **Manufacturing Use** (16, 19)
- **Cogeneration Energy** (42)
- Contractor's Establishment (11)
- Food **Manufacturing Use** (13)
- Glass Product **Manufacturing Use** (15)
- Pharmaceutical and Medicine **Manufacturing Use** (16, 17)
- Plastic Product **Manufacturing Use** (16,18)
- **Renewable Energy** (42)
- Wood Product **Manufacturing Use** (14)

### 50.10.20.40 Permitted Building Types

(1) **Permitted Building Types for Dwelling Units**

In the CRE zone the following building types for dwelling units are permitted:

- **Detached House**;
- **Semi-Detached House**;
- **Townhouse**;
- **Duplex**;
- **Triplex**;
- **Fourplex**;
- **Apartment Building**; and
- **Mixed Use Building**.

### 50.10.20.100 Conditions

(1) **Amusement Arcade**

In the CRE zone, an amusement arcade may not 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
In the CRE zone:
   (A) 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 the Residential Zone category or Residential Apartment Zone category may not exceed 400 square metres;
   (B) the calculation of total interior floor area is reduced by:
       (i) the interior floor area used for items listed in regulations 50.5.40.40(1) (A) to (G) and 50.5.40.40(3) (A) to (I); 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;
   (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 the Residential Zone category or Residential Apartment Zone category.

(3) Nightclub
In the CRE zone, a nightclub is subject to the following:
   (A) it must be located on the first storey;
   (B) it must be on a lot does not abut a lot in the Residential Zone category or Residential Apartment Zone category;
   (C) it must be the only nightclub in the building;
   (D) the front lot line or side lot line of the lot may not abut Spadina Ave.; and
   (E) if the lot is west of Spadina Ave.:
       (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 Ave. may not be more than 14.

(4) Funeral Home
In the 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 the CRE zone, no hotel room or suite may be located on the same storey as a dwelling unit.

(6) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(7) Public Utility
In the CRE zone, a public utility may not be:
   (A) a sewage treatment plant;
   (B) a water filtration plant.

(8) Public Works Yard
In the CRE zone, a public works yard must be in a wholly enclosed building and there may be no open storage.

(9) Animal Shelter
In the CRE zone, an animal shelter must be the only use in the building.
(10) **Laboratory**
In the CRE zone, a laboratory may not be in a building with a dwelling unit.

(11) **Contractor's Establishment**
In the 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 Use**
In the CRE zone, an apparel and textile manufacturing use may not involve leather products or chemical dyeing of cloth.

(13) **Food Manufacturing Use**
In the CRE zone, a food manufacturing use must be fruit and vegetable preserving, speciality food manufacturing and dairy product manufacturing, only in batch processing.

(14) **Wood Product Manufacturing Use**
In the CRE zone, a wood product manufacturing use may not be a:

(A) saw mill;
(B) planing mill; or
(C) wood distillation plant.

(15) **Glass Product Manufacturing Use**
In the CRE zone, only purchased glass may be used in a glass product manufacturing use.

(16) **Certain Manufacturing Uses Not Located in a Building with a Dwelling Unit**
In the CRE zone, a pharmaceutical, medicine, plastic, or clay manufacturing use may not be located in a building that has a dwelling unit.

(17) **Pharmaceutical and Medicine Manufacturing Use**
In the CRE zone, a pharmaceutical and medicine manufacturing use 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 the CRE zone, a plastic product manufacturing use:

(A) may be for the assembly or manufacture of previously processed materials;
(B) must not process or combine materials that alter the structure of the material; and
(C) must not include the manufacture of celluloid or pyroxylin.

(19) **Clay Product Manufacturing**
In the CRE zone, a clay product manufacturing use:

(A) must be for the manufacturing of pottery, ceramics and plumbing fixtures; and
(B) may not be for the manufacturing of blocks, bricks, beams, pipes, artificial abrasives, clay pit mining or other mined materials.

(20) **Tourist Home**
In the CRE zone, a tourist home:

(A) must be in a townhouse, detached house, or a semi-detached house; and
(B) may not have vehicle access by a mutual driveway.

(21) **Outdoor Patio**
In the CRE zone:

(A) an outdoor patio must be combined with the following uses and comply with the requirements in regulations (B) through (G) below:

   **Amusement Arcade**
(B) the maximum area of an outdoor patio is the greater of:
  (i) 30.0 square metres; or
  (ii) 30% of the interior floor area of the premises it is associated with;
(C) an outdoor patio may not be used to provide entertainment such as performances, music and dancing. [By-law: 1676-2013]
(D) an outdoor patio must be set back at least 30.0 metres from:
  (I) a lot in the Residential Zone category or Residential Apartment Zone category. [By-law: 1676-2013]
(E) despite regulation (D) above, an outdoor patio located above the first storey of the building, must be at least 40.0 metres:
  (I) measured horizontally, from a lot in the Residential Zone category or Residential Apartment Zone category. [By-law: 1676-2013]
(F) an outdoor patio in the rear yard of a lot which abuts a lot in the 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 a lawfully existing outdoor patio is closer to a lot than required in (D) or (E) above, that lawful distance from a lot in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that lawfully existing outdoor patio from that lot.

(22) Vehicle Dealership
   In the CRE zone, a vehicle dealership must comply with the specific use regulations in Section 150.90.

(23) Vehicle Fuel Station
   In the CRE zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(24) Vehicle Service Shop
   In the CRE zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(25) Vehicle Washing Establishment
   In the CRE zone, a vehicle washing establishment must comply with the specific use regulations in Section 150.96.

(26) Day Nursery
   In the CRE zone, a day nursery must comply with the specific use regulations in Section 150.45.

(27) Public School, Private School
   In the 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 the 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 300.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category. This regulation does not to apply if the banquet hall is combined with a hotel.

(29) Group Home
   In the CRE zone, a group home must comply with the specific use regulations in Section 150.15.

(30) Municipal Shelter
   In the CRE zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(31) Amusement Arcade
   In the CRE zone, an amusement arcade:
(A) may be in a building that has no residential uses permitted in Clause 50.10.20.10 or 50.10.20.20;
(B) must 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) may only be accessible from the interior of the building.

(32) Eating Establishment
In the CRE zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(33) Short-term Rental
A short-term rental in the CRE zone must comply with the specific use regulations in Section 150.13. [By-law: 1453-2017 Enacted]

(34) Place of Worship
In the CRE zone, a place of worship must comply with the specific use regulations in Section 150.50.

(35) Seniors Community House
In the CRE zone, a seniors community house must comply with the specific use regulations in Section 150.30.

(36) Crisis Care Shelter
In the CRE zone, a crisis care shelter must comply with the specific use regulations in Section 150.20.

(37) Secondary Suite
In the CRE zone, a secondary suite must comply with the specific use regulations in Section 150.10.

(38) Private Home Daycare
In the CRE zone, a private home daycare:

(A) may be located in a townhouse, detached house, or a semi-detached house; and
(B) a children's play area for a private home daycare:

(i) must be fenced; and
(ii) may 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 the 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 the CRE zone, a rooming house must comply with the specific use regulations in Section 150.25.

(41) Outdoor Sales or Displays
In the CRE zone, the outdoor sale or display of goods or commodities is subject to the following:

(A) it must be combined 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 the 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 in areas required by this By-law 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 the CRE zone, renewable energy production or cogeneration energy production must be in combination with another 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 on a lot in the CRE zone and used as a transportation use must comply with all requirements for a building on that lot.
Public Utility

In the CRE zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setback and permitted maximum height for a building in the CRE zone if it is:

(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]

(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 the 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 storey 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 the CRE zone, a building with a dwelling unit may 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 the 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-ground 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 the CRE zone, the permitted maximum height of a building or structure on a lot is:

(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; and

(B) if no numerical value follows the letters "HT" on the Height Overlay Map, the permitted maximum height is not limited by this regulation.

(2) Heritage Building Volume Permission Beyond Height Limit

In the CRE zone, a building on a heritage site may be permitted to exceed the permitted maximum height, 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 as a heritage site;

(B) the additional height of the building may not be greater than 20% of the permitted maximum height of the building;

(C) the part of a 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 of the building is 6.0 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 of the building 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 conserved portion of the heritage building, the building volume above the permitted maximum height of the building is equal to one times the volume of that conserved portion of the heritage building further than 3.0 metres from the façade of the heritage building facing a street; and

(iv) if there is an above-ground separation between the conserved heritage building and the adjacent buildings or structures on the same lot, the building volume above the permitted maximum height of the building 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 conserved 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; and

(D) any permitted building volume exceeding the permitted maximum height of the building 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; and

(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 storey of the conserved heritage building; and

(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 adjusted maximum height of a building permitted by regulations (A) to (E) above.

(3) Height Exemption - Mechanical Elements in King-Spadina Area

In the 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 of the building 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.

(4) Maximum Number of Storeys

The permitted maximum number of storeys in a building on a lot in the CRE zone is:

(A) the numerical value following the letters "ST" on the Height Overlay Map; and

(B) if the lot is in an area with no numerical value following the letters "ST" on the Height Overlay Map, the number of storeys is not limited by this regulation. [By-law: 1353-2015]

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 of a building, that lawful height is the 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 or be authorized by a Section 45 Planning Act minor variance.
50.10.40.30 Building Depth

(1) Maximum Building Depth
In the 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 is greater than the permitted maximum building depth, that lawful building depth is the maximum building depth for that lawfully existing building.

(2) Additions to Lawfully Existing Buildings
Any addition or extension to a lawfully existing building referred to in regulation 50.10.40.31(1) must comply with all other regulations 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 the 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 square metres for each dwelling unit is indoor amenity space; [By-law: 1353-2015]
(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 the CRE zone, if a lawfully existing building with 20 or more dwelling units has not provided the amenity space required by regulation 50.10.40.50(1), the lawfully existing building does not have to comply with regulation 50.10.40.50(1).

50.10.40.60 Permitted Encroachments

(1) Permitted Encroachments - Decks, Porches and Balconies
In the 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 storey of the building may encroach into the required minimum building setback the lesser of 2.5 metres or 50% of the required minimum 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 storey of the building may encroach into the required minimum building setback 1.5 metres.

(2) Permitted Encroachments - Canopies and Awnings
In the 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 minimum building setback for the building:

(A) to the same extent as the platform it is covering; and
(B) when it does not cover a platform, the canopy, awning or similar structure may encroach into a required minimum 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 the CRE zone:

(A) exterior stairs providing access to a **building** or **structure** may encroach into a required minimum **building setback**, if the stairs are:
   (i) no longer than 1.5 horizontal units for each 1.0 vertical unit above-ground 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; and
(B) an uncovered ramp providing pedestrian access to a **building** or **structure** may encroach into a required minimum **building setback**, if the ramp is:
   (i) no longer than 15 horizontal units for each 1.0 vertical unit above-ground 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 minimum **building setback**, if the elevating device:
   (i) elevates no higher than the first **storey** 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 the CRE zone cladding added to the original exterior surface of the **main wall** of a **building**, may encroach into a required minimum **building setback** a maximum of 0.15 metres, if the **building** is at least 5 years old.

(5) Permitted Encroachments - Architectural Features

In the 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 minimum **building setback** a maximum of 1.0 metres, if it is no closer to a **lot line** than 0.3 metres; and
(B) a chimney breast, on a **building**, may encroach into a required minimum **building setback** a maximum of 0.6 metres, if it is:
   (i) no wider than 2.0 metres; and
   (ii) closer to a **lot line** than 0.3 metres.

(6) Permitted Encroachments - Window Projections

In the 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 and does not touch the ground, may encroach:

(A) into a required minimum **front yard setback** or required minimum **rear yard setback** a maximum of 0.75 metres, if the window projections in total do not occupy more than 65% of the width of the **front wall** or rear **main wall** at each **storey**; and
(B) into a required minimum **side yard setback** a maximum of 0.6 metres, if the window projections:
   (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 the CRE zone, the following wall mounted equipment may encroach into a required minimum **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 storey;
(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 the 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 minimum building setbacks:
(A) a side yard setback and rear yard setback as set out in regulation 50.10.40.70(1);
(B) a required minimum building setback from a lot in the 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 the CRE zone, the required 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 the Residential Zone Category or Residential Apartment Zone Category.
In the 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 the Residential Zone category or Residential Apartment Zone category.

(3) Building Setback from a Lane
In the CRE zone if a lot abuts a lane, the required 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 the CRE zone, if a lot with a building is identified as a heritage site, any portion of a building that 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 a distance equal to the original building setback of the conserved heritage building from that lot line that abuts a street, plus 3.0 metres.

(5) Building Setback for Upper Building Level Facing A Street
In the CRE zone, the required 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 Ground
(DELETED BY OMB ORDER, JULY 12, 2017 – PL130592) [ By-law: OMB PL130592 ]

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 required minimum building setback from:
(A) a rear lot line, that lawful building setback is the minimum rear yard setback for that lawfully existing building or structure; or
(B) a side lot line, that lawful building setback is the minimum side yard setback for that lawfully existing 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 required minimum building setbacks or be authorized by a Section 45 Planning Act minor variance.

50.10.40.80 Separation

(1) Distance Between External Walls of Buildings

In the 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 the main walls intercepts the other main wall, the required minimum above-ground distance between them is 11.0 metres.

(2) Distance Between Windows of Buildings in King-Spadina

In the 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 the windows intercepts the other window, the required minimum above-ground distance between the windows is 15.0 metres.

(3) Distance Between Windows of Buildings in King-Spadina

In the 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 required 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 on the same lot, or between main walls of the same lawfully existing building, is less than the required minimum separation distance between main walls, that lawful separation distance is the minimum separation distance for those main walls of those lawfully existing buildings.

(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 if Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category

If a lot in the CRE zone abuts a lot in the 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) Fence Requirement If Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category

If a lot in the CRE zone abuts a lot in the Residential Zone category or the 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 the CRE zone, an outdoor parking area with more than 3 parking spaces must be fenced if it is located in a side yard or rear yard that abuts a street, lane or a lot in the Residential Zone category or Residential Apartment Zone category, excluding the portions used for vehicle access.

(2) CRE Zone Above Grade Parking Building or Structure Restriction
In the CRE zone, parking spaces in an above-ground building or structure is permitted, if:
   (A) it is combined 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 the 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 the CRE zone, no vehicle may be parked or stored in the front yard.

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.

50.10.90 Loading

50.10.90.10 Location

(1) Loading Space Location
A loading space may not be in:
   (A) a front yard;
   (B) a side yard abutting a street; or
   (C) any side yard or rear yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category.

50.10.90.11 Location Exemptions

(1) Loading Space Location Exemption
If a lawfully existing building has a lawful loading space that does not comply with the loading space location requirements of regulation 50.10.90.10(1), that 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 the CRE zone:
   (A) where a lot abuts a lane, vehicle 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 that is not a major street on the Policy Areas Overlay Map, vehicle access to a loading space must be from the street which is not a major street.

(2) Loading Restrictions Adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone Category
   In the CRE zone, where a lot abuts a lot in the Residential Zone category or Residential Apartment Zone category, vehicle access to the loading space may not be over 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
   (deleted by OMB Order, November 21, 2018 - PL 130592) [By-law: PL130592 Nov21_2018]

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

(1) Access to Parking Areas if Adjacent to a Lot in a Residential Zone Category or Residential Apartment Zone Category
   If a lot in the CRE zone abuts a lot in the Residential Zone category or Residential Apartment Zone category:
   (A) vehicle access to a parking space may not be over any part of a lot in the 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 the Residential Zone category or Residential Apartment Zone category.

50.10.150 Waste

50.10.150.1 General

(1) Waste and Recyclable Materials Storage
   In the CRE zone:
   (A) all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
   (B) if 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 the 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 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 vehicle 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 spaces.

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 manufacturing use in the Employment Industrial Zone category. [By-law: 1124-2018]

(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).

(3) Firearm Manufacturing for the Entertainment Industry
Despite regulations 60.5.20.1(1) and (2), 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.

60.5.30 Lot Requirements

60.5.30.1 General

(1) Employment Industrial Lands Abutting Highway 400 and Highway 404
If a lot in the Employment Industrial Zone category abuts 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) loading spaces and parking spaces are permitted in a side yard or rear yard that abuts a street;
(C) 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**

In the Employment Industrial Zone category, if a **lot** has a **rear lot line** or **side lot line** that is separated from a **lot** in the Residential Zone category or Residential Apartment Zone category by a **lane** or a **street** with a right of way width less than 12.0 metres, pedestrian access to any entrance to a **building** on that **lot** may not be from that **lane** or **street** unless it is:

(A) a service entrance, or

(B) an entrance or exit required by Federal or Provincial statutes or 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 elevation of the ground 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 **average grade** and the elevation of the highest point of that **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; and

(B) the following **structures** on the roof of a **building**, may exceed the permitted maximum height for that **building** by 5.0 metres:

   (i) antennae;

   (ii) flagpoles; or

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

In the Employment Industrial Zone category, equipment, **structures** or parts of a **building** exceeding the permitted maximum height for a **building** in 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 Amenity Space Safety and Wind Protection
In the Employment Industrial Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space 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.

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 is reduced by the area in the building used for:
   (A) parking, loading and bicycle parking below-ground;
   (B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
   (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 and change 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 permitted maximum floor space index, that lawful floor space index resulting from those lawfully existing buildings on that lot is the maximum 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 minimum 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 ground 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 the 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 the Residential Zone category, Residential Apartment Zone Category or Open Space Zone category.
60.5.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Building from a Lane
In the Employment Industrial Zone category, if the lawful distance of a lawfully existing building or structure from the original centreline of a lane is less than the required minimum distance from the original centreline of the lane, that lawful distance is the minimum distance from the original centreline of the lane for that lawfully existing building or structure.

(2) Additions Above Lawfully Existing Buildings in Relation to a Lane
The required 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 60.5.40.71(1) is the minimum distance from the original centreline of the lane permitted by regulation 60.5.40.71(1).

60.5.50 Yards

60.5.50.10 Landscaping

(1) Fence Requirement When 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 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 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, 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 may not be 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 that is:
   (A) on a building:
      (i) must comply with the required minimum building setbacks for a building on the lot; and
      (ii) no part of the device may be higher than 3.0 metres above the permitted maximum height for the building; and
   (B) ground mounted, must comply with the requirements 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 required minimum building setbacks 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 on a lot that abuts a lot in the 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 for a **building** or **structure** on a **lot**.

(6) **Cogeneration Device**

In the Employment Industrial Zone category, a *cogeneration energy* device may be outside a **building** on the same **lot** if it:

(A) is not in a **street yard**; and

(B) complies with the required minimum **building setbacks** for a **building**.

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### 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 a **manufacturing use**, is reduced by the floor area in the **building** used for the following:

(A) parking, loading and bicycle parking;

(B) **vehicle** 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 and change 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 **vehicle** access from the **street** to a parking area.

(2) **Location of Parking Spaces**

In the Employment Industrial Zone category a **parking space** may be:

(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 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(1) and (2) 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 the 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 loading spaces for a manufacturing use on a lot in the Employment Industrial Zone category, the gross floor area of a building used for a manufacturing use is reduced by the area in the building used for the following:

(A) parking, bicycle parking and a loading;  
(B) vehicle access to a 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 and change 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 a driveway may 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

(1) Driveway Access Through Landscaping
In the Employment Industrial Zone category a driveway may cross a required landscaping area.
(2) **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, **vehicle** access to the **lot** may not be over any part of a **lot** in the Residential Zone category or Residential Apartment Zone category.

(3) **Access to Loading Restrictions Adjacent to 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, **vehicle** access to the **loading space** may not be over 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 the 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 the EL zone, the numerical value following the zone symbol in the zone label indicates the permitted maximum floor space index of all land uses on a lot.

60.10.20 Permitted Uses

60.10.20.1 General

(1) Lawfully Existing Place of Worship
In the EL zone, a lawfully existing place of worship is permitted if it is on a lot with a front lot line or side lot line abutting a major street on the Policy Area Overlay Map; and

(A) any expansion or addition to the place of worship building complies with Section 150.50 and the requirements for the EL zone; and

(B) it may be replaced with a new place of worship building that complies with Section 150.50 and the requirements for the EL zone.

(2) Sorting Activities in an Enclosed Building
In the 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 the 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
60.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions - EL Zone
In the 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 Use (9)
- Beverage Manufacturing Use (9)
- Cogeneration Energy (17)
- Contractor's Establishment (7)
- Crematorium (21)
- Eating Establishment (5,14)
- Education Use (4)
- Food Manufacturing Use (9, 10)
- Furniture Manufacturing Use (9)
- Metal Products Manufacturing Use (9)
- Open Storage (12)
- Plastic Product Manufacturing Use (9)
- Printing Establishment (8)
- Public Utility (16,18)
- Recreation Use (1,3)
- Renewable Energy (17)
- Retail Store (5)
- Software Development and Processing (2)
- Take-out Eating Establishment (5)
- Transportation Use (19)

60.10.20.100 Conditions

(1) Recreation Use
In the EL zone, a golf driving range is a permitted recreation use if:

(A) the lot is at least 70.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category; and

(B) there is a fence between the golf driving range and all lot lines.

(2) Software Development and Processing
In the EL zone, the interior floor area of a software development and processing use may not exceed 5,000 square metres.

(3) Recreation Use
In the EL zone, a recreation use must be on a lot that fronts a major street on the Policy Areas Overlay Map.

(4) Education Use
In the EL zone, education use is subject to the following:

(A) the use may only be for:

   (i) technical and trade skills development for the operation and use of manufacturing equipment and machinery; or

   (ii) driver education for commercial or construction vehicles such as trucks, tractor trailers and fork lifts; and

(B) the total interior floor space used for an education use may not exceed the lesser of:

   (i) a floor space index of 0.5; or

   (ii) the permitted maximum floor space index in the zone label on the Zoning By-law Map.
(5) Retail Store, Eating Establishment and Take-out Eating Establishment
In the EL zone, a retail store, eating establishment and take-out eating establishment:

(A) must be associated 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 the permitted manufacturing use.

(6) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(7) Contractor’s Establishment
In the 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 - Interior Floor Area
In the EL zone, the interior floor area of a printing establishment use may not exceed 5,000 square metres.

(9) Manufacturing Use - Interior Floor Area
In the EL zone, the interior floor area of a manufacturing use listed in Clause 60.10.20.20 may not exceed 5,000 square metres.

(10) Food Manufacturing Use
In the EL zone, food manufacturing use must be the processing, packaging or baking of foods that are not meats, fish, dairy products, or brewing or pickling of foods.

(11) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(12) Open Storage
In the EL zone:

(A) open storage:
   (i) must be associated with a permitted use;
   (ii) may not be in a yard that abuts a lot in the Residential Zone category or the Residential Apartment Zone category; and
   (iii) may not be in the front yard; and
   (iv) may be no closer than 7.5 metres to any lot line;
   (v) may be no more than 10% of the lot area;
   (vi) may be no higher than the permitted maximum height of a building on the lot; and
   (vii) must be enclosed by a fence; and

(B) open storage may be for recyclable material and waste.

(13) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(14) Eating Establishment
In the EL zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(15) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(16) Public Utility
In the EL zone, a public utility, must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building, if it is:

(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
(B) a natural gas regulator station.

(17) Renewable Energy Production or Cogeneration Energy Production
In the EL zone, renewable energy production or cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(18) Public Utility
In the EL zone, a public utility may not be a sewage treatment plant.
(19) **Transportation Use**
A **building** or **structure** on a **lot** in the EL zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(20) **(THIS DOES NOT CURRENTLY CONTAIN A REGULATION)**

(21) **Crematorium**
In the EL zone, a **crematorium** must be a minimum of 300 metres from a **lot** that is not in an EL, E, EH or UT zone.

60.10.30 Lot Requirements

60.10.30.20 Lot Frontage

(1) **Minimum Lot Frontage for Lots in a EL zone**
   In the EL zone, the required minimum **lot frontage** is 15.0 metres.

60.10.30.21 Lot Frontage Exemptions

(1) **Permitted Lot Frontage for Lawfully Existing Lots**
   In the EL zone, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage**, that **lawful lot frontage** is the 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 60.10.30.21(1) must comply with all other regulations 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

(1) **Maximum Height - EL Zone**
   In the 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 permitted 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 following the letters "HT" on the Height Overlay Map, the permitted maximum height of a **building** or **structure** on the **lot** is 18.5 metres.

(2) **Height of Buildings and Structures - Green Roof**
   In the EL zone, a parapet wall for 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 the EL zone, if the **lawful height** of a **lawfully existing building** or **structure** is greater than the permitted maximum height for a **building** or **structure**, that **lawful height** of the **lawfully existing building** or **structure** is the 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 or be authorized by a Section 45 Planning Act minor variance.
60.10.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in the EL Zone
In the EL zone, the required minimum *front yard setback* is 6.0 metres.

(2) Minimum Side Yard Setback for Lots in the EL Zone
In the EL zone, the required 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.

(3) Minimum Rear Yard Setback for Lots in the EL Zone
In the EL zone, the required minimum *rear yard setback* is 7.5 metres.

(4) Minimum Setback for Lots in the EL Zone if abutting the Residential Zone Category or Residential Apartment Zone Category
In the EL zone:
   (A) the required 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 the Residential Zone category or Residential Apartment Zone category.

60.10.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings
In the EL zone, if the *lawful building setback* of a *lawfully existing building* or *structure* is less than the required minimum *building setback* from:
   (A) a *front lot line*, that *lawful front yard setback* is the minimum *front yard setback* permitted for that *lawfully existing building* or *structure*;
   (B) a *rear lot line*, that *lawful rear yard setback* is the minimum *rear yard setback* permitted for that *lawfully existing building* or *structure*; or
   (C) a *side lot line*, that *lawful side yard setback* is the minimum *side yard setback* permitted for that *lawfully existing 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 be authorized by a Section 45 Planning Act minor variance.

60.10.50 Yards

60.10.50.10 Landscaping

(1) Soft Landscaping - Street Lot Line Requirement
In the 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 the 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 the EL Zone
In the 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 required minimum front yard, side yard and rear yard building setbacks.

60.10.80 Parking

60.10.80.1 General

(1) Applicable Parking Rate - Retail Store, Eating Establishment, and Take-out Eating Establishment
In the EL zone, the parking space requirement for a retail store, eating establishment, and take-out eating establishment, that is combined 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 in:

(A) a front yard;
(B) a side yard abutting a street; or
(C) a side yard or rear yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category.

60.10.90.11 Location Exemptions

(1) Loading Space Location Exemption
If a lawfully existing building has a lawful loading space that does not comply with the loading space location requirements in regulation 60.10.90.10(1), that 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 the EL Zone
   In the EL zone:
   (A) if a lot abuts a lane, vehicle 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 on the Policy Areas Overlay Map, vehicle 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), vehicle 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 vehicle 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 the EL Zone
   In the 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 a lawful entrance to a loading space in a main wall that faces a street, that lawful entrance 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 the 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 the E zone, the numerical value following the zone symbol in the zone label indicates the permitted maximum floor space index of all land uses on a lot.

60.20.20 Permitted Uses

60.20.20.1 General

(1) Lawfully Existing Place of Worship
   In the E zone, a lawfully existing place of worship is permitted if it is on a lot with a front lot line or side lot line abutting a major street on the Policy Area Overlay Map; and
   (A) any expansion or addition to the place of worship building must comply with Section 150.50 and the requirements for the E zone; and
   (B) it may be replaced with a new place of worship building if it complies with Section 150.50 and the requirements for the E zone.

(2) Sorting Activities in an Enclosed Building
   In the 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 the 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
   All Manufacturing Uses except:
   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
Service Shop
Software Development and Processing
Warehouse
Wholesaling Use [By-law: OMB PL130592]

60.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - E Zone
In the 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:

Body Rub Service (32)
Cogeneration Energy (26)
Crematorium (33)
Drive Through Facility (5,21)
Eating Establishment (3,19,30)
Marihuana production facility (2)
Metal Factory involving Forging and Stamping (25)
Open Storage (10)
Public Utility (27,29)
Recovery Facility (8)
Recreation Use (7)
Renewable Energy (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 (17,31)
Vehicle Washing Establishment (18)
[By-law: 0403-2014]
[By-law: 1124-2018]
60.20.20.100 Conditions

(1) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(2) Marihuana Production Facility
   In the E zone, a marihuana production facility must comply with the specific use regulations in Section 150.60.
   [ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

(3) Eating Establishment, or Take-out Eating Establishment and Retail Service
   In the 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 - together with Manufacturing Use
   In the E zone, a retail store is subject to the following:
   (A) it must be associated with a permitted manufacturing use;
   (B) it must be separated from the permitted manufacturing use by a floor to ceiling wall that prevents public access; and
   (C) the interior floor area may not exceed 20% of the interior floor area of the manufacturing use on the lot.

(5) Drive Through Facility
   In the E zone, a drive through facility must be on a lot that fronts on a major street on the Policy Areas Overlay Map.

(6) Vehicle Depot
   In the E zone, a vehicle depot must be on a lot that is at least 70 metres from a lot in the Residential Zone category or the Residential Apartment Zone category.

(7) Recreation Use
   In the E zone, a recreation use must be on a lot that fronts a major street on the Policy Areas Overlay Map.

(8) Recovery Facility
   In the 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 70.0 metres from a lot in the Residential Zone category or the Residential Apartment Zone category; and
   (C) the separating or sorting of materials must be within a wholly enclosed building.

(9) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(10) Open Storage
   In the E zone:
   (A) open storage:
      (i) must be associated with a permitted use other than a recovery facility;
      (ii) may not be located in a yard that abuts a lot in the Residential Zone category or the Residential Apartment Zone category;
      (iii) may not be in the front yard;
(iv) must be a minimum of 7.5 metres from any lot line;
(v) must be less than 30% of the lot area;
(vi) may be no higher than the permitted maximum height of a building on the lot; and
(vii) must be enclosed by a fence; and

(B) open storage may be for recyclable material and waste.

(11) **Shipping Terminal**

In the E zone, a shipping terminal 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.

(12) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(13) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(14) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(15) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(16) **Vehicle Fuel Station**

In the E zone, a vehicle fuel station must comply with the specific use regulations in Section 150.92.

(17) **Vehicle Service Shop**

In the E zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(18) **Vehicle Washing Establishment**

In the E zone, a vehicle washing establishment must comply with the specific use regulations in Section 150.96.

(19) **Eating Establishment**

In the E zone, an eating establishment must comply with the specific use regulations in Section 150.100.

(20) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(21) **Drive Through Facility**

In the E zone, a drive through facility must comply with the specific use regulations in Section 150.80.

(22) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(23) **Vehicle Repair Shop**

In the E zone, a vehicle repair shop must be on a lot that is at least 100.0 metres from a lot in the Residential Zone category or Residential Apartment Zone category.

(24) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(25) **Metal Factory involving Forging and Stamping**

In the 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 the E zone, renewable energy production or cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(27) **Public Utility**

In the E zone, a public utility may not be a sewage treatment plant.

(28) **Transportation Use**

A building or structure on a lot in the E zone and used as a transportation use must comply with all regulations for a building on that lot.

(29) **Public Utility**

In the E zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building, if it is:

(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
(B) a natural gas regulator station.
(30) **Retail Store and Eating Establishment together with Vehicle Fuel Station**

In the E zone:

(A) a **retail store** on a lot 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; and

(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.

(31) **Vehicle Service Shop - Open Storage**

In the E zone, a **vehicle service shop** may have **open storage** if it is:

(A) less than 20% of the area of the **lot** that is not covered by wholly enclosed **buildings**; and

(B) enclosed by a fence.

(32) **Body Rub Service - Separation Distance**

In the E zone, a **lot** that has a **body rub service** must be:

(A) at least 100.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category; and

(B) at least 500 metres from a **lot** with a **public school**, **private school**, or **place of worship**, or a **lot** in a IS zone or IPW zone; and

(C) at least 500 metres from a **lot** that has an **adult entertainment** use or 100 metres from a **lot** that has a **body rub service**.

(33) **Crematorium**

In the E zone, a **crematorium** must be a minimum of 300 metres from a **lot** that is not in the EL, E, EH or UT zone.

60.20.30 **Lot Requirements**

60.20.30.20 **Lot Frontage**

(1) **Minimum Lot Frontage for Lots in the E zone**

In the E zone, the required minimum **lot frontage** is 20.0 metres.

60.20.30.21 **Lot Frontage Exemptions**

(1) **Permitted Lot Frontage for Lawfully Existing Lots**

In the E zone, if the **lawful lot frontage** of a **lawfully existing lot** is less than the required minimum **lot frontage**, that **lawful lot frontage** is the 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 60.20.30.21(1) must comply with all other regulations in this By-law 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 the 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 permitted 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 a **building** that has permitted uses other than an office use.

(2) Height of Buildings and Structures - Green Roof
In the E zone, a parapet wall for a **green roof** may exceed the permitted maximum height for a **building** by 2.0 metres.

60.20.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings
In the E zone, if the **lawful** height of a **lawfully existing building** or **structure** is greater than the permitted maximum height, that lawful height is the 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 60.20.40.11(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

60.20.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in the E Zone
In the E zone, the required minimum **front yard setback** is 3.0 metres.

(2) Minimum Side Yard Setback for Lots in the E Zone
In the E zone, the required minimum **side yard setback** is 3.0 metres.

(3) Minimum Rear Yard Setback for Lots in the E Zone
In the E zone, the required minimum **rear yard setback** is 7.5 metres.

(4) Minimum Building Setback for Lots in the E Zone abutting the Residential Zone Category or Residential Apartment Zone Category
In the E zone:

(A) the required 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 the Residential Zone category or the Residential Apartment Zone category.

(5) Building Setback Exemptions for Loading at Railway Tracks in an E zone
Despite regulations 60.20.40.70(2) and (3), in the E zone, a **building** or **structure** used for loading or unloading of railway cars has no required minimum **building setback** from a **side lot line** or **rear lot line** that abuts the railway right-of-way. [By-law: 1124-2018]

60.20.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings
In the E zone, if the **lawful building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

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

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

(C) a **side lot line**, that **lawful building setback** is the minimum **side yard setback** for that **lawfully existing 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 be authorized by a Section 45 Planning Act minor variance.

60.20.50 Yards

60.20.50.10 Landscaping

(1) **Soft Landscaping - Street Lot Line Requirement**

In the 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 the 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 the E Zone**

In the 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 required minimum *front yard*, *side yard* and *rear yard building setbacks*.

60.20.80 Parking

60.20.80.20 Setbacks

(1) **Parking Space to be Set Back from a Lot Line**

A *parking space* that is not 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 in:

(A) a *front yard*;

(B) a *side yard* abutting a *street*; or

(C) any *side yard* or *rear yard* that abuts a *lot* in the Residential Zone category or Residential Apartment Zone category.
60.20.90.11 Location Exemptions

(1) Loading Space Location Exemption
   If a lawfully existing building has a lawful loading space that does not comply with the loading space location requirements in regulation 60.20.90.10(1), that lawful 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 the E Zone
   In the E zone:
   (A) if a lot abuts a lane, vehicle 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 on the Policy Areas Overlay Map, vehicle 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), vehicle 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 vehicle access through a main wall that faces a street.

60.20.90.41 Access to Loading Space Exemptions

(1) Access to Loading Space Exemption for Buildings on Lots in the E Zone
   In the E zone, if a lawfully existing building has a lawful entrance to a loading space that does not comply with regulation 60.20.90.40(1) or Article 220.5.20, that lawful entrance is permitted.

(2) Access Through a Main Wall to a Loading Space Exemption
   If a lawfully existing building has a lawful entrance 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 the 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, on the Zoning By-law Map, represents the permitted maximum floor space index of all land uses on a lot.

60.30.20 Permitted Uses

60.30.20.1 General

(1) Existing Place of Worship
In the EH zone, a lawfully existing place of worship is permitted if it is on a lot with a front lot line or side lot line abutting a major street on the Policy Area Overlay Map; and

(A) any expansion or addition to the place of worship building must comply with Section 150.50 and the requirements for the EH zone; and

(B) it may be replaced with a new place of worship building if it complies with Section 150.50 and the requirements for the EH zone.

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
Contractors Establishment
Custom Workshop
Dry Cleaning or Laundry Plant
Fire Hall
Fuel Storage
Industrial Sales and Service Use
Laboratory
All Manufacturing Uses except:
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
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 (10)
Crematorium (14)
Marihuana production facility (3)
Open Storage (1)
Outside Operations (2)
Propane Transfer, Handling and Storage Facility (9)
Renewable Energy (10)
Transportation Use (12)
Vehicle Service Shop (5,13)
[ By-law: 0403-2014 ] [ By-law: 1124-2018 ]

60.30.20.100 Conditions

(1) Open Storage
In the EH zone:

(A) open storage must:
   (i) not encroach into a required minimum building setback; and
   (ii) be enclosed by a fence; and

(B) open storage may be for recyclable material or waste.

(2) Outside Operations
In the EH zone, outside operations:

(A) must be combined with a permitted manufacturing use;

(B) may not encroach into a required minimum building setback; and

(C) must be enclosed by a fence.

(3) Medical Marihuana Production Facility
In the EH zone, a medical marihuana production facility must comply with the specific use regulations in Section 150.60. [ By-law: 607-2015 ]

(3) REPLACE THIS HEADING
REPLACE THIS CONTENT [ By-law: 1124-2018 ]

(3) Marihuana Production Facility
In the EH zone, a marihuana production facility must comply with the specific use regulations in Section 150.60. [ By-law: 607-2015 Under Appeal ][ By-law: 1124-2018 ]

(4) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(5) Vehicle Service Shop
In the EH zone, a vehicle service shop must comply with the specific use regulations in Section 150.94.

(6) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)
(7) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(8) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(9) Propane Transfer, Handling and Storage Facility
   In the 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 that is at least 500 metres from a lot in the 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 that is not subject to regulation (A) above.

(10) Renewable Energy Production or Cogeneration Energy Production
    In a EH zone, renewable energy production or cogeneration energy production must be in combination with another
    permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(11) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(12) Transportation Use
    A building or structure on a lot in the EH zone and used as a transportation use must comply with all requirements
    for a building on that lot.

(13) Vehicle Service Shop - Open Storage
    In the EH zone, a vehicle service shop may have open storage if it is:
    (A) less than 20% of the area of the lot that is not covered by wholly enclosed buildings; and
    (B) enclosed by a fence.

(14) Crematorium
    In the EH zone, a crematorium must be a minimum of 300 metres from a lot that is not in the EL, E, EH or UT zone.

60.30.30 Lot Requirements

60.30.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in the EH zone
   In the EH zone, the required minimum lot frontage is 30.0 metres.

60.30.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots
    In the EH zone, if the lawful lot frontage of a lawfully existing lot is less than the required minimum lot frontage, that
    lawful lot frontage is the 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 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 the 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 permitted 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 height requirement applies.

(2) Height of Buildings and Structures - Green Roof
In the EH zone, a parapet wall for a green roof may exceed the permitted maximum height for a building by 2.0 metres.

60.30.40.11 Height Exemptions

(1) Permitted Height for Lawfully Existing Buildings
In the EH zone, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height, that lawful height is the 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 or be authorized by a Section 45 Planning Act minor variance.

60.30.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in the EH Zone
In the EH zone, the required minimum front yard setback is 3.0 metres.

(2) Minimum Side Yard Setback for Lots in the EH Zone
In the EH zone, the required minimum side yard setback is 3.0 metres.

(3) Minimum Rear Yard Setback for Lots in the EH Zone
In the EH zone, the required minimum rear yard setback is 7.5 metres.

(4) Minimum Building Setback for Lots in the EH Zone abutting the Residential Zone Category or the Residential Apartment Zone Category
In the EH zone:
(A) the required 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 the Residential Zone category or the Residential Apartment Zone category.

(5) Building Setback Exemptions for Loading at Railway Tracks in an EH zone
Despite regulations 60.30.40.70(2) and (3), in the EH zone, a building or structure used for loading or unloading of railway cars at railway tracks has no required minimum building setback from a side lot line or rear lot line that abuts the railway right-of-way.

60.30.40.71 Setbacks Exemptions

(1) Permitted Setbacks for Lawfully Existing Buildings
In the EH zone, if the lawful building setback of a lawfully existing building or structure is less than the required minimum building setback from:
(A) a front lot line, that lawful front yard setback is the minimum front yard setback for that lawfully existing building or structure;
(B) a rear lot line, that lawful rear yard setback is the minimum rear yard setback for that lawfully existing building or structure; or
(C) a side lot line, that lawful side yard setback is the minimum side yard setback permitted for that lawfully existing 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 be authorized by a Section 45 Planning Act minor variance.

(3) **REPLACE THIS HEADING**

Regulations 60.30.40.70(1)(2)(3) and (4) do not apply to a *transportation use* along Eglinton Avenue West and Eglinton Avenue West, provided that setbacks are between 0 and 300 metres. [103-2016] [By-law: 1031-2014]

60.30.60 Ancillary Buildings and Structures

60.30.60.1 General

(1) **Ancillary Building and Structure - Compliance**

In the 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 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 the 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 permitted maximum floor space index of all land uses on a lot and that may be followed by one or both of the following in brackets:

   (i) the letter "e" and a numerical value indicating the permitted maximum floor space index for employment industrial uses on a lot; and

   (ii) the letter "o" and a numerical value indicating the permitted maximum floor space index for office and other non-employment industrial uses on a lot.

(4) Medical Office
   In 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 the 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 the 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):

   Ambulance Depot
   Animal Shelter
   Artist Studio
   Bindery
   Carpenter's Shop
   Cold Storage
   Custom Workshop
   Dry Cleaning or Laundry Plant
   Fire Hall
   Industrial Sales and Service Use
   Laboratory
   Police Station
   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
Education Use
Financial Institution
Library
Massage Therapy
Medical Office
Museum
Office
Park
Passenger Terminal
Performing Arts Studio
Software Development and Processing
Wellness Centre

60.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions - EO Zone

In the 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) 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 Use (3)
Beverage Manufacturing Use (3)
Clay Product Manufacturing Use (3)
Cogeneration Energy (24)
Computer, Communications, Electronics, or Optical Media Manufacturing Use (3)
Contractor's Establishment (2)
Food Manufacturing Use (3)
Furniture Manufacturing Use (3)
Medical Equipment and Supplies Manufacturing Use (3)
Metal Products Manufacturing Use (3)
Open Storage (13)
Pharmaceutical and Medicine Manufacturing Use (3)
Plastic Product Manufacturing Use (3)
Public Utility (25,27)
Renewable Energy (24)
Transportation Product and Vehicle Manufacturing Use (3)
Transportation Use (26)

(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) 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)
Hotel (5)
Municipal Shelter (4)
Outdoor Patio (14)
60.40.20.100 Conditions

(1) **(THIS DOES NOT CURRENTLY CONTAIN A REGULATION)**

(2) Contractor's Establishment
In the 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 the 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 the EO zone, a **municipal shelter** must comply with the specific use requirements of Section 150.22.

(5) Hotel
In the EO zone, a **hotel** must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map.

(6) Retail Service, Retail Store, Personal Service Shop, Eating Establishment or Take-out Eating Establishment
In the 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) Recreation Use
In the EO zone, a **recreation use** must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map.

(8) Public Parking - Abutting a Lot in the Residential Zone Category or Residential Apartment Zone Category
In the EO zone, if a **lot** with **public parking** abuts a **lot** in the Residential Zone category or Residential Apartment Zone category:

(A) **vehicle** access to the **public parking** may not be over 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 the EO zone, one **building** for parking attendants is permitted on a **lot** with a **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**.
(10) **Drive Through Facility**
In the EO zone, a **drive through facility** must be on a **lot** that fronts on a major **street** on the Policy Areas Overlay Map.

(11) **Place of Assembly**
In the EO zone, a **place of assembly** must be on a **lot** that has a zone symbol with an "o" value of 1.5 or greater. [By-law: 1353-2015]

(12) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(13) **Open Storage**
In the EO zone,

(A) **open storage**:
   (i) must be associated with a permitted use;
   (ii) may not be located in a yard that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category;
   (iii) may not be located in the **front yard** of the **lot**;
   (iv) must be located a minimum of 7.5 metres from any **lot line**;
   (v) may not be more than 10% of the **lot area**;
   (vi) may not be more than the permitted maximum height of a **building**; and
   (vii) must be enclosed by a fence; and

(B) **open storage** may be for **recyclable material** and waste.

(14) **Outdoor Patio**
In the EO zone, an **outdoor patio**:

(A) must be in association with a permitted use;
(B) must be no closer to a **lot line** than the required minimum **building setback** for a **building**;
(C) may not occupy more than 20% of the **front yard**;
(D) may not be located on land required for **parking spaces**, **loading spaces**, **driveways** or **landscaping**;
(E) may have a maximum area that is the greater of:
   (i) 30.0 square metres; or
   (ii) 30% of the **interior floor area** of the **premises** it is associated with;
(F) may not be used to provide entertainment such as performances, music and dancing;
(G) must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;
(H) despite regulation (G) 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 the Residential Zone category or Residential Apartment Zone category;
(I) in the **rear yard** of a **lot** that abuts a **lot** in the 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
(J) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (G) or (H) above, that **lawful** distance from a **lot** in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that **lawfully existing outdoor patio** from that **lot**.

(15) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(16) **Eating Establishment**
In the EO zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

(17) (THIS DOES NOT CURRENTLY CONTAIN A REGULATION)

(18) **Drive Through Facility**
In the EO zone, a **drive through facility** must comply with the specific use regulations in Section 150.80.
(19) **Place of Assembly - Banquet Hall**

In the 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 the Residential Zone category or Residential Apartment Zone category. This regulation does not apply if the banquet hall is combined with a hotel.

(20) **Eating Establishment and Take-out Eating Establishment- Amusement Device**

In the 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 the EO zone, a **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(23) **Manufacturing Use with a Retail Store**

In the EO zone, a **retail store** on a lot with a **manufacturing use** is subject to the following:

(A) it must be ancillary to a permitted manufacturing use;

(B) if it is in the same **building** as a manufacturing use, it must be separated from the manufacturing use by a floor to ceiling wall that prevents public access; and

(C) the **interior floor area** may not exceed 20% of the **interior floor area** of the manufacturing use on the lot.

(24) **Renewable Energy Production or Cogeneration Energy Production**

In the EO zone, **renewable energy** production or ** cogeneration energy** production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(25) **Public Utility**

In the EO zone, a **public utility** may not be a sewage treatment plant.

(26) **Transportation Use**

A building or structure on a lot in the EO zone and used as a **transportation use** must comply with all requirements for a building on that lot.

(27) **Public Utility**

In the EO zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a building:

(A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]

(B) a natural gas regulator station.

(28) **Retail Store - together with a Vehicle Fuel Station**

In the EO zone:

(A) a **retail store** on a lot 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; and

(B) For the purposes of regulation (A) above, a convenience store may sell products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines are sold.

(29) **Place of Worship**

In the EO zone, a **place of worship** must comply with the specific use requirements of Section 150.50.

(30) **Place of Worship - Interior Floor Area and Major Street**

In the EO zone, a **place of worship**:

(A) may not have an **interior floor area** that exceeds 5,000 square metres; and

(B) must be on a **lot** with a **front lot line or side lot line** abutting a major street on the Policy Area Overlay Map.
60.40.30 Lot Requirements

60.40.30.20 Lot Frontage

(1) Minimum Lot Frontage for Lots in a EO zone
In the EO zone, the required minimum lot frontage is 30.0 metres.

60.40.30.21 Lot Frontage Exemptions

(1) Permitted Lot Frontage for Lawfully Existing Lots
In the EO zone, if the lawful lot frontage of a lawfully existing lot is less than the required minimum lot frontage, that lawful lot frontage is the 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 60.40.30.21(1) must comply with all other regulations 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 the EO zone is in an area that:

   (A) has a numerical value following the letters "HT" on the Height Overlay Map, the permitted 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 following the letters "HT" on the Height Overlay Map, the permitted maximum height of a building or structure on the lot is 30.0 metres.

(2) Height of Buildings and Structures - Green Roof
In the EO zone, a parapet wall 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 the EO zone, if the lawful height of a lawfully existing building or structure is greater than the permitted maximum height, that lawful height is the 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 or be authorized by a Section 45 Planning Act minor variance.

60.40.40.70 Setbacks

(1) Minimum Front Yard Setback for Lots in the EO Zone
In the EO zone, the required minimum front yard setback is 9.0 metres.

(2) Minimum Side Yard Setback for Lots in the EO Zone
In the EO zone, the required 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.

## Minimum Rear Yard setback for Lots in the EO Zone

In the EO zone, the required minimum **rear yard setback** is 7.5 metres.

## Minimum Building Setback for Lots in the EO Zone abutting the Residential Zone Category or the Residential Apartment Zone Category

In the EO zone:

(A) the required 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 the Residential Zone category or Residential Apartment Zone category.

### 60.40.71 Setbacks Exemptions

1. **Permitted Setbacks for Lawfully Existing Buildings**

   In the EO zone, if the **building setback** of a **lawfully existing building** or **structure** is less than the required minimum **building setback** from:

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

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

   (C) a **side lot line**, that **lawful side yard setback** is the minimum **side yard setback** for that **lawfully existing 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 60.40.71(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 be authorized by a Section 45 Planning Act minor variance.

### 60.50 Yards

#### 60.50.10 Landscaping

1. **Soft Landscaping - Street Lot Line Requirement**

   In the 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.

### 60.60 Ancillary Buildings and Structures

#### 60.60.1 General

1. **Ancillary Buildings and Structures - Compliance**

   In the EO zone, **ancillary buildings** and **structures** must comply with the requirements for a **building** or **structure**.

### 60.60.10 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 the 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 required minimum front yard, side yard and rear yard building setbacks.

60.40.80 Parking

60.40.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
   A parking space not 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 in:
   (A) a front yard;
   (B) a side yard abutting a street; or
   (C) a side yard or rear 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 has a lawful loading space that does not comply with the loading space location requirements in regulation 60.40.90.10(1), that 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 the EO zone:
      (A) if a lot abuts a lane, vehicle 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 on the Policy Areas Overlay Map, vehicle 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), vehicle 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 vehicle 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 the EO Zone
      In the EO zone, if a lawfully existing building has a lawful vehicle access to a loading space that does not comply with regulation 60.40.90.40(1), or Article 220.5.20, that lawful vehicle access is exempt from regulation 60.40.90.40(1) and Article 220.5.20. [By-law: 1124-2018 ]

   (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 60.40.90.40(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 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.

80.5.20 Permitted Uses

80.5.20.1 General

(1) Lawfully Existing Public School, Private 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 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 Section 150.48 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
Additional lot requirements are 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 required minimum lot area, that lawful lot area is the 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 regulations 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 required minimum lot frontage, that lawful lot frontage is the 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 80.5.30.21(1) must comply with all other regulations 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 portion of a *lot* covered by *lawfully existing buildings* or *structures* is greater than the permitted maximum *lot coverage*, the *lawful portion* of the *lot* covered by those *lawfully existing buildings* or *structures* is the maximum *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 80.5.30.41(1) must comply with all other regulations 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**
   
   Additional *building* requirements are 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 ground along the *front lot line* and the elevation of the highest point of the *building* or *structure*.

2. **Height of Specific 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 of Elements 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 - Horizontal Limits on Elements for Functional Operation of a Building**
   
   In the Institutional Zone category, equipment, *structures* or parts of a *building* that exceed the permitted maximum height for a *building* in regulation 80.5.40.10(3), must comply with the following:
   
   - (A) their total area may cover no more than 30% of the area of the roof, measured horizontally; and
   - (B) if they 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*.
(5) Height of Rooftop Amenity Space Safety and Wind Protection

In the Institutional Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space on a building with a height greater than 15.0 metres, 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.

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 permitted maximum height for a building, that lawful height is the 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 permitted maximum height 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 is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below-ground;
(B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;
(C) storage rooms, washrooms, electrical, utility, mechanical and ventilation rooms in the basement;
(D) shower and change 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 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 on a lot results in a floor space index greater than the permitted maximum floor space index, the lawful floor space index resulting from those lawfully existing buildings on that lot is the maximum floor space index for those lawfully existing buildings on that lot.

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 minimum 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 ground directly below it.
80.5.40.70 Setbacks

(1) Building Setback from a Lane
A building or structure in the Institutional Zone category may 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 required minimum building setback from:

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

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

(C) a side lot line, that lawful building setback is the minimum side yard setback 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 80.5.40.71(1) must comply with the required minimum building setbacks or be authorized by a Section 45 Planning Act minor variance.

(3) Permitted Setbacks for Lawfully Existing Building from a Lane
In the Institutional Zone category, if the lawful distance of a lawfully existing building or structure from the original centreline of a lane is less than the required minimum distance from the original centreline of the lane, 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 required 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 80.5.40.71(3) is the minimum distance from the original centreline of the lane permitted by regulation 80.5.40.71(3).

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 the Institutional Zone category abuts a lot in the Residential 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.

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 must be set back from a side lot line and rear lot line the greater of:
(A) half the height of the ancillary building or structure; or
(B) 3.0 metres, if the lot line abuts a lot in the Residential Zone category or the Residential 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 average grade and the elevation of the highest point of the ancillary 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 that is:
(A) on a building:
   (i) must comply with the required minimum building setbacks for a building on the lot; and
   (ii) no part of the device may be higher than 2.0 metres above the permitted maximum height for the building; and
(B) ground mounted, the device must comply with the requirements 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 required minimum building setbacks 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 the 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 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
A parking space required by this By-law for a use in the Institutional Zone category must be available for the use for which it is required.
80.5.80.10 Location

(1) Location of Required Parking Spaces
A parking space must be on the same lot as the use for which the parking space is required.

(2) Off-Site Parking Spaces
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 the 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 the Residential Zone Category
If a lot in the Institutional Zone category abuts a lot in the Residential Zone category, an area used for the parking or storage of 3 or more vehicles may be in a rear yard or side yard, if a fence is installed 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 the Residential Zone Category - Restriction on Sole Access from a Lane or Shared Private Right-of-Way
A lot in the 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 vehicle access from a lane or private right-of-way that abuts a lot in the Residential Zone category.

(2) Driveway Access to a Lot - Crossing Landscaping Area
In the Institutional Zone category, a driveway may cross a required landscaping area.

(3) Access to Parking Areas Adjacent to a Lot in the Residential Zone Category
If a lot in the Institutional Zone category abuts a lot in the Residential Zone category vehicle access to a parking space may not be over any part of a lot in the Residential Zone category;

(4) Loading Restrictions Adjacent to a Lot in the Residential Zone Category or Residential Apartment Zone category
If a lot in the Institutional Zone category abuts a lot in the Residential Zone category or the Residential Apartment Zone category:
(A) vehicle access to a loading space may not cross any part of a lot in the Residential Zone category or the Residential Apartment Zone category; and
(B) any part of a lot line abutting a lot in the Residential Zone category or the Residential Apartment Zone category must be fenced.
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 all lands, uses, buildings and structures in the I zone.

(2) Medical Office
In 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
In the I zone, the following uses are permitted:
Art Gallery
Club
Community Centre
Hospice Care Home
Library
Massage Therapy
Medical Office
Museum
Nursing Home
Park
Recreation Use
Religious Education Use
Religious Residence
Respite Care Facility
Retirement Home
Wellness Centre

80.10.20.20 Permitted Use - with Conditions

(1) Use with Conditions - I Zone
In the I zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.10.20.100:
Ambulance Depot (16)
Automated Banking Machine (10)
Cogeneration Energy (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 (22)
Residential Care Home (13)
Retail Store (2)
Secondary Suite (24)
Student Residence (11)
Take-out Eating Establishment (2)(7)
Transportation Use (21)

80.10.20.100 Conditions

(1) Public Parking Abutting a Lot in the Residential Zone Category
In the I zone, vehicle access to public parking may not be over any part of a lot in the Residential Zone category.

(2) Retail Store, Eating Establishment and Take-out Eating Establishment
In the I zone:
   (A) the interior floor area for each retail store, eating establishment and take-out eating establishment on a lot may not exceed 465 square metres; and
   (B) the total interior floor area used for all retail stores, eating establishments and take-out eating establishments on a lot may not exceed 0.3 times the lot area.

(3) Financial Institution
In the I zone, the interior floor area of a financial institution may not exceed 250 square metres.

(4) Personal Service Shop
In the I zone, the interior floor area of a personal service shop may not exceed 250 square metres.

(5) Place of Assembly
In the I zone, the interior floor area of a place of assembly may not exceed the lesser of:
   (A) 4000 square metres; or
   (B) 75% of the area of the lot covered by all buildings on the lot.

(6) Day Nursery
A day nursery in the I zone may not be located above the first storey of a building.

(7) Size Restriction on Eating Establishments Near or Abutting a Lot in the Residential Zone Category
If a lot in the I zone is within 6.1 metres of a lot in the Residential Zone category, the total interior floor area of all eating establishments and take-out eating establishments on the lot may not exceed 400 square metres.

(8) Public Parking Attendant Shelter
In the I zone, one building for parking attendants is permitted on a lot with a 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.

(9) Public School, Private School
In the I zone, a public school and private school must comply with the specific use regulations in Section 150.48.

(10) Automated Banking Machine
In the I zone, an automated banking machine must be 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 the I zone, a crisis care shelter must comply with the specific use regulations in Section 150.20.
(13) **Group Home or Residential Care Home**

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

(14) **Municipal Shelter**

In the I zone, a **municipal shelter** must comply with the specific use regulations in Section 150.22.

(15) **Place of Worship**

In the I zone, a **place of worship** must comply with the specific use regulations in Section 150.50.

(16) **Ambulance Depot**

In the I zone, an ambulance depot must be on a **lot** that:

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

(17) **Fire Hall**

In the I zone, a fire hall must be on a **lot** that:

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

(18) **Police Station**

In the I zone, a police station must be on a **lot** that:

(A) fronts on a major **street** on the Policy Areas Overlay Map; or
(B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(19) **Public Utility**

In the I zone, a **public utility** may not be:

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

(20) **Public Utility**

In the I zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the I zone if it is:

(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
(B) a natural gas regulator station.

(21) **Transportation Use**

A **building** or **structure** on a **lot** in the I zone and used as a **transportation use** must comply with all requirements for a **building** on that **lot**.

(22) **Renewable Energy Production or Cogeneration Energy Production**

In the I zone, **renewable energy** production or **cogeneration energy** production must be in combination with another permitted use on the **lot**, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(23) **Drive Through Facility**

In the 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) Minimum Lot Frontage
In the I zone, the required minimum lot frontage is 20.0 metres

80.10.30.40 Lot Coverage

(1) Maximum Lot Coverage
In the I zone, if a lot:

(A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; or

(B) is not in an area with a numerical value on the Lot Coverage Overlay Map, the permitted maximum lot coverage is 35%.

80.10.40 Principal Building Requirements

80.10.40.10 Height

(1) Maximum Height
If a lot in the I zone is in an area that has:

(A) a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a building or structure is the numerical value in metres on the Height Overlay Map; and

(B) no numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a building or structure on the lot is 15.0 metres.

(2) Height of Buildings and Structures - Green Roof
In the I zone, a parapet wall for a green roof may exceed the permitted maximum height for a building by 2.0 metres.

80.10.40.40 Floor Area

(1) Floor Space Index
In the I zone, the permitted maximum floor space index is:

(A) the numerical value following the zone symbol on the Zoning By-law Map; or

(B) 1.0, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [By-law: 0559-2014 (OMB PL130592)] [By-law: 1124-2018]

80.10.40.41 Floor Area Exemptions

(1) Floor Area Exemptions
Regulation 80.10.40.40(1) does not apply to a transportation use along Eglinton Avenue West and Eglinton East, provided that the maximum floor area is no greater than 2 times the area of the lot. [103-2016] [By-law: 1031-2014]
80.10.40.50 Decks, Platforms and Amenities

(1) Amenity Space Requirement
In the I zone, a minimum of 0.9 square metres of amenity space must be provided for each dwelling unit and bedsitting room in a building and a minimum of 75% of the amenity space must be 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 minimum 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 ground directly below it.

(2) Permitted Encroachments - Exterior Stairs, Access Ramp and Elevating Device
In the I zone:

(A) exterior stairs providing access to a building or structure may encroach into a required minimum building setback, if the stairs are:
   (i) no longer than 1.5 horizontal units for each 1.0 vertical unit above the ground 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; and

(B) an uncovered ramp providing pedestrian access to a building or structure may encroach into a required minimum building setback, if the ramp is:
   (i) no longer than 15 horizontal units for each 1.0 vertical unit above the ground 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 minimum building setback, if the elevating device:
   (i) elevates no higher than the first storey 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 the I zone is located in Policy Area 1 (PA1), Policy Area 2 (PA-2) or Policy Area 3 (PA-3) on the Policy Areas Overlay Map, a building or structure on that lot must be set back:

(A) no 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 has windows;

(C) 3.0 metres from a rear lot line or side lot line that abuts a lot in the 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 the I zone is not located in Policy Area 1 (PA1), Policy Area 2 (PA-2) or Policy Area 3 (PA-3) on the Policy Areas Overlay Map, a building or structure must be set back from a lot line a distance equal to half the height of the building.
80.10.40.71 Setbacks Exemptions

(1) Setback Exemptions
Regulations 80.10.40.70(1) and (2) do not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East provided that the setbacks are between 0 and 40 metres. [103-2016] [By-law: 1031-2014]

80.10.50 Yards

80.10.50.10 Landscaping

(1) Front Yard Landscaping
In the I zone, the entire front yard excluding a permitted driveway must be landscaping, and a minimum of 75% of the front yard landscaping must be soft landscaping.

(2) Soft Landscaping Requirement
In the I zone, a minimum of 50% of the area of the lot not covered by buildings or structures must be soft landscaping.

80.10.50.11 Landscaping Exemptions

(1) Landscaping Exemptions
Regulations 80.10.50.10(1) and (2) do not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East. [103-2016] [By-law: 1031-2014]

80.10.80 Parking

80.10.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
A parking space which is not 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 in:
(A) a front yard;
(B) a side yard abutting a street; or
(C) any side yard or rear yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category.

80.10.90.11 Location Exemptions

(1) Loading Space Location Exemption
If a lawfully existing building has a lawful loading space that 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 and Recyclable Materials Storage
In the I zone:
   (A) all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
   (B) if the waste and recyclable material is stored in an ancillary building, the ancillary building:
      (i) may not be in a side yard that abuts a street or in a front yard; and
      (ii) must be at least:
         (a) 7.5 metres from a lot in the 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.
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 all lands, uses, buildings and structures in the IH zone.

80.20.20 Permitted Uses

80.20.20.10 Permitted Use

(1) **Use - IH Zone**

In the IH zone, the following uses are permitted:

- Education Use (12)
- Hospice Care Home
- Hospital
- Massage Therapy
- Medical Office
- Park
- Wellness Centre [ By-law: 1353-2015 ]

80.20.20.20 Permitted Use - with Conditions

(1) **Use with Conditions - IH Zone**

In the IH zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.20.20.100:

- Ambulance Depot (12)
- Automated Banking Machine (3)
- Cogeneration Energy (18)
- Crisis Care Shelter (8)
- Day Nursery (7)
- Eating Establishment (4,11)
- Financial Institution (5)
- Fire Hall (13)
- Laboratory (9)
- Municipal Shelter (19)
- Nursing Home (1)
- Office (2)
- Personal Service Shop (4,11)
- **Place of Worship (22)**
- Police Station (14)
- Post-Secondary School (20)
- Public Parking (6,10)
- Public Utility (15) (16)
- Renewable Energy (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) [ By-law: 1353-2015 ]

80.20.20.100 Conditions

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

In the IH zone, a nursing home, a retirement home, a student residence, or a respite care facility must be in a building operated by or on behalf of a hospital.
(2) **Office**

   In the IH zone, an office must be in a building operated by or in association with a hospital.

(3) **Automated Banking Machine**

   In the IH zone, an automated banking machine must be in a building.

(4) **Retail Store, Personal Service Shop, Eating Establishment and Take-out Eating Establishment**

   In the IH zone, a retail store, personal service shop, eating establishment or take-out eating establishment are subject to the following:

   (A) they must be in a hospital building;
   (B) each retail store, personal service shop or eating establishment may not have an interior floor area greater than 150 square metres;
   (C) the total interior floor area for all retail stores, personal service shops and eating establishments on a lot may not exceed 30% of the interior floor area of the first storey of the hospital building; and
   (D) regulations (B) and (C) above do not apply to a cafeteria that is ancillary to the hospital.

(5) **Financial Institution**

   In the IH zone, a financial institution must:

   (A) be in a hospital building; and
   (B) have an interior floor area no greater than 150 square metres.

(6) **Public Parking Attendant Shelter**

   In the IH zone, one building for parking attendants is permitted on a lot with a 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.

(7) **Day Nursery**

   In the IH zone, a day nursery must be in a hospital building.

(8) **Crisis Care Shelter**

   In the IH zone, a crisis care shelter must:

   (A) be on a lot that has a permitted maximum floor space index of 7.0 or greater; and
   (B) comply with the specific use regulations in Section 150.20. [By-law: 607-2015]

(9) **Laboratory**

   In the IH zone, a laboratory must be:

   (A) operated by, or in association with, a hospital; or
   (B) used for research limited to medical or health sciences.

(10) **Public Parking Abutting a Lot in the Residential Zone Category**

    In the IH zone, vehicle access to the public parking may not be over any part of a lot in the Residential Zone category.

(11) **Size Restriction on Establishments Near or Abutting a Lot in the Residential Zone Category**

    If a lot in the IH zone is within 6.1 metres of a lot in the Residential Zone category, access to a retail store, personal service shop, eating establishment or take-out eating establishment must be from inside the hospital building.

(12) **Ambulance Depot**

    In the IH zone, an ambulance depot must be on a lot that:

    (A) fronts on a major street on the Policy Areas Overlay Map; or
    (B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(13) **Fire Hall**

    In the IH zone, a fire hall must be on a lot that:

    (A) fronts on a major street on the Policy Areas Overlay Map; or
(B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(14) *Police Station*

In the IH zone, a police station must be on a lot that:

(A) fronts on a major street on the Policy Areas Overlay Map; or

(B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(15) *Public Utility*

In the IH Zone, a public utility may not be:

(A) a sewage treatment plant;

(B) a water filtration plant; or

(C) an above-ground water reservoir.

(16) *Public Utility*

In the IH zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the IH zone if it is:

(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]

(B) a natural gas regulator station.

(17) *Transportation Use*

A building or structure on a lot in the IH zone and used as a transportation use must comply with all requirements for a building on that lot.

(18) *Renewable Energy Production or Cogeneration Energy Production*

In the IH zone, renewable energy production or cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(19) *Municipal Shelter*

In the IH zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(20) *Post-Secondary School*

In the IH Zone, a post-secondary school must be:

(A) for education in medicine, dentistry or other health sciences; and

(B) 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.

(22) *Place of Worship*

In the IH zone, a place of worship must:

(A) comply with the specific use regulations in Section 150.50;

(B) be on the same lot as a hospital or a hospice care home; and

(C) be in a building with no more than 5,000 square metres of gross floor area, unless it is inside a hospital.

**80.20.30 Lot Requirements**

**80.20.30.20 Lot Frontage**

(1) *Minimum Lot Frontage*

The required minimum lot frontage in the IH zone is 30 metres.
80.20.30.40 Lot Coverage

(1) Maximum Lot Coverage
In the IH zone, if a lot:

(A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; or
(B) is not in an area with a numerical value on the Lot Coverage Overlay Map, no lot coverage applies.

80.20.40 Principal Building Requirements

80.20.40.10 Height

(1) Maximum Height
If a lot in the IH zone is in an area that has a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a building or structure is the numerical value in metres on the Height Overlay Map. If no numerical number follows the letters "HT" on the Height Overlay Map the maximum height is not limited by this regulation.

(2) Height of Buildings and Structures - Green Roof
In the IH zone, a parapet wall for a green roof may exceed the permitted maximum height for a building by 2.0 metres.

(3) Height of Buildings and Structures - Helicopter Landing Pad
In the IH zone, a permitted helicopter landing pad on the roof of a hospital building may exceed the permitted maximum height for the building by 3.0 metres, if the highest part of the landing pad is no more than 3.0 metres above the surface level of the roof.

80.20.40.40 Floor Area

(1) Floor Space Index
In the IH zone, the permitted maximum floor space index is:

(A) the numerical value following the zone symbol on the Zoning By-law Map; or
(B) 1.0, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [By-law: 0559-2014 (OMB PL130592)] [By-law: 1124-2018]

80.20.40.60 Permitted Encroachments

(1) Permitted Encroachments into Required Yards - Access Ramp and Elevating Device
In the IH zone:

(A) an uncovered ramp providing access to a building or structure may encroach into a required minimum building setback if the ramp is:
   (i) no longer than 15 horizontal units for each 1.0 vertical unit above the ground 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 than 0.6 metres to a lot line; and
(B) an elevating device providing access to a building or structure may encroach into a required minimum building setback, if the elevating device:
   (i) elevates no higher than the first storey of the building;
   (ii) has a maximum area of 6.0 square metres; and
   (iii) is no closer than 0.6 metres from a lot line.
(2) Canopies and Awnings - Five Metres or Less Above Grade
In the IH zone, a canopy, awning or similar structure, with or without structural support, may encroach into a required minimum 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 ground directly below it.

(3) Canopies and Awnings - More Than Five Metres Above Grade
In the IH zone, a canopy, awning or similar structure, with or without structural support, may encroach into a required minimum building setback a maximum of 2.5 metres if:

(A) it is more than 5.0 metres above the elevation 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
The required minimum front yard setback in the IH zone is:

(A) zero metres if the lot is in the Policy Area 1 (PA1) on the Policy Areas Overlay Map; and

(B) 7.5 metres in all other cases.

(2) Minimum Rear Yard Setback
In the IH zone, the required minimum rear yard setback is:

(A) the greater of 7.5 metres or half the height of the building, if the rear lot line abuts a lot in the Residential Zone category; and

(B) 7.5 metres in all other cases.

(3) Minimum Side Yard Setback
The required minimum side yard setback for a lot in the IH zone is:

(A) if the lot is located in Policy Area 1 (PA1) on the Policy Areas Overlay Map:

(i) zero metres if the side lot line does not abut a lot in the Residential Zone category; and

(ii) the greater of 7.5 metres or half the height of the building, if the side lot line abuts a lot in the Residential Zone category; and

(B) if the lot is not located in the Policy Area 1 (PA1) on the Policy Areas Overlay Map:

(i) 7.5 metres if the side lot line abuts a street; and

(ii) in all other cases, the greater of 7.5 metres or half the height of the building.

80.20.60 Ancillary Buildings and Structures

80.20.60.20 Setbacks

(1) Ancillary Building or Structure to be Set Back
In the 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 half the height of the ancillary building or structure.

(2) Building Setback from a Street
In the 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 main buildings on the lot.

80.20.60.70 Lot Coverage

(1) Lot Coverage - Ancillary Buildings
In the IH zone, the permitted maximum lot coverage for ancillary buildings and structures is 15% of the lot area.
80.20.80 Parking

80.20.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
In the IH zone, a parking space which is not in a building or structure must be at least 0.5 metres from a lot line.

(2) Parking Spaces to be Set Back from a Lot in the Residential Zone Category
In the IH zone, an area used for the parking or storage of more than 3 vehicles may be no closer than 7.5 metres from a lot line that abuts a lot in the Residential Zone category.

80.20.90 Loading

80.20.90.10 Location

(1) Loading Space Location
A loading space may not be in:
   (A) a front yard;
   (B) a side yard abutting a street; or
   (C) any yard that abuts a lot in the Residential Zone category or Residential Apartment Zone category.

(2) Loading Space Location Exemption
If a lawfully existing building has a lawful loading space that does not comply with the loading space location requirements of regulation 80.20.90.10(1), that lawful loading space is exempt from the requirements of regulation 80.20.90.10(1).

80.20.150 Waste

80.20.150.1 General

(1) Storage of Waste
In the IH zone:
   (A) all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
   (B) if the waste and recyclable material is stored in an ancillary building, the ancillary building:
      (i) may not be in a side yard that abuts a street or in a front yard; and
      (ii) must be at least:
         (a) 7.5 metres from a lot in the 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 line.
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 all lands, uses, buildings and structures in the IE zone.

80.30.20 Permitted Uses

80.30.20.10 Permitted Use

(1) Use - IE Zone

In the IE zone, the following uses are permitted:
- Art Gallery
- Automated Banking Machine
- Club
- Library
- Massage Therapy
- Museum
- Park
- Performing Arts Studio
- Place of Assembly
- Post-Secondary School
- Production Studio
- Recreation Use
- Religious Education Use
- Student Residence
- Wellness Centre

80.30.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IE Zone

In the IE zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.30.20.100:
- Ambulance Depot (14)
- Cogeneration Energy (20)
- Community Centre (10)
- Day Nursery (9)
- Eating Establishment (4)(13)
- Entertainment Place of Assembly (7)
- Financial Institution (5)
- Fire Hall (15)
- Laboratory (11)
- Medical Office (3)
- Municipal Shelter (21)
- Office (3)
- Personal Service Shop (6)
- Place of Worship (23)
- Police Station (16)
- Public Parking (1)(12)
- Public Utility (17)(18)
- Renewable Energy (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)

80.30.20.100 Conditions

(1) Public Parking Attendant Shelter
In the IE zone, one building for parking attendants is permitted on a lot with a 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.

(2) Software Development and Processing
In the IE zone, a software development and processing use must be operated by or be in association with a post-secondary school.

(3) Office or Medical Office
In the IE zone, an office or medical office must be in association with a post-secondary school on the lot.

(4) Eating Establishment and Take-out Eating Establishment
In the IE zone, the interior floor area of an eating establishment or take-out eating establishment may not exceed 1000 square metres.
This regulation does not apply to a cafeteria that is ancillary to the post-secondary school.

(5) Financial Institution
In the IE zone, the interior floor area of a financial institution may not exceed 500 square metres.

(6) Personal Service Shop
In the IE zone, the interior floor area of a personal service shop may not exceed 500 square metres.

(7) Entertainment Place of Assembly and Sports Place of Assembly
In the IE zone, a place of assembly, entertainment place of assembly or sports place of assembly must be operated by or be in association with a post-secondary school.

(8) Retail Store
In the IE zone, the interior floor area of a retail store may not exceed 500 square metres.

(9) Day Nursery
In the IE zone, the interior floor area of a day nursery may not exceed 500 square metres.

(10) Community Centre
In the IE zone, a community centre may be no more than 5000 square metres in gross floor area.

(11) Laboratory
In the IE zone, a laboratory must be operated by or be in association with a post-secondary school.

(12) Public Parking Abutting a Lot in the Residential Zone Category
In the IE zone, vehicle access to the public parking may not be over any part of a lot in the Residential Zone category.

(13) Size Restriction on Eating Establishments Near or Abutting a Lot in the Residential Zone Category
If a lot in the IE zone is within 6.1 metres of a lot in the Residential Zone category, the total interior floor area of all eating establishments and take-out eating establishments on the lot may not exceed 400 square metres.

(14) Ambulance Depot
In the IE zone, an ambulance depot must be on a lot that:
   (A) fronts on a major street on the Policy Areas Overlay Map; or
   (B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(15) Fire Hall
In the IE zone, a fire hall must be on a lot that:
(A) fronts on a major street on the Policy Areas Overlay Map; or
(B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(16) Police Station
In the IE zone, a police station must be on a lot that:
(A) fronts on a major street on the Policy Areas Overlay Map; or
(B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(17) Public Utility
In the IE Zone, a public utility may not be:
(A) a sewage treatment plant;
(B) a water filtration plant; or
(C) an above-ground water reservoir.

(18) Public Utility
In the IE zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the IE zone if it is:
(A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
(B) a natural gas regulator station.

(19) Transportation Use
A building or structure on a lot in the IE zone and used as a transportation use must comply with all requirements for a building on that lot.

(20) Renewable Energy Production or Cogeneration Energy Production
In the IE zone, renewable energy production or cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(21) Municipal Shelter
In the IE zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(22) Secondary Suite
In the IE zone, a secondary suite must comply with the specific use regulations in Section 150.10.

(23) Place of Worship
In the IE zone, a place of worship must comply with the specific use regulations in Section 150.50.

80.30.30 Lot Requirements

80.30.30.20 Lot Frontage

(1) Minimum Lot Frontage
The required minimum lot frontage in the IE zone is 20.0 metres.

80.30.30.40 Lot Coverage

(1) Maximum Lot Coverage
In the IE zone, if a lot:
(A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; or
(B) is not in an area with a numerical value on the Lot Coverage Overlay Map, the permitted maximum lot coverage is 35%.
80.30.40 Principal Building Requirements

80.30.40.10 Height

(1) Maximum Height
   If a lot in an IE zone is in an area that has:
   (A) a numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a building or structure on the lot is the numerical value following the letters 'HT' on the Height Overlay Map, in metres; or
   (B) no numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a building or structure on the lot is 13.0 metres.

(2) Height of Buildings and Structures - Green Roof
   In the IE zone, a parapet wall for a green roof may exceed the permitted maximum height for a building by 2.0 metres.

80.30.40.40 Floor Area

(1) Floor Space Index
   In the IE zone, the permitted maximum floor space index is:
   (A) the numerical value following the zone symbol on the Zoning By-law Map; or
   (B) 0.4, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [By-law: 0559-2014 (OMB PL130592)] [By-law: 1124-2018]

80.30.40.70 Setbacks

(1) Minimum Building Setbacks
   In the IE zone the required minimum building setback from a lot line is the distance equal to 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 the IE zone, the required minimum separation distance between all main walls of any two buildings is the greater of:
   (A) 20 metres; or
   (B) half of the total height of the two buildings.

80.30.80 Parking

80.30.80.10 Location

(1) Location Of Parking Spaces
   In the IE zone, a surface parking space may not be in a front yard.

80.30.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
   A parking space which is 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 in:

(A) a front yard;
(B) a side yard abutting a street; or
(C) any yard that abuts a lot in the 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 building has a lawful loading space that does not comply with the loading space location requirements of regulation 80.30.90.10(1), that lawful 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 the IE zone:

(A) all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
(B) if waste and recyclable material is stored in an ancillary building, the ancillary building:
(i) may not be in a side yard that abuts a street or in a front yard; and
(ii) must be at least:
(a) 7.5 metres from a lot in the 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 line.
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 all lands, uses, buildings and structures in the IS zone.

80.40.20 Permitted Uses

80.40.20.1 General

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

80.40.20.10 Permitted Use

(1) Use - IS Zone
In the IS zone, the following uses are permitted:
- Park
- Private School
- Public School
- Recreation Use

80.40.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IS Zone
In the IS zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.40.20.100:
- Adult Education School (5)
- Ambulance Depot (6)
- Cogeneration Energy (11)
- Community Centre (2)
- Day Nursery (1)
- Fire Hall (7)
- Library (3)
- Municipal Shelter (12)
- Police Station (8)
- Public Utility (9) (10)
- Renewable Energy (11)
- Secondary Suite (13)
- Student Residence (4)
- Transportation Use (14)
80.40.20.100 Conditions

(1) Day Nursery
   In the IS zone, a day nursery:
   (A) may have an interior floor area no greater than 40% of the area of the first storey of the building on the lot; and
   (B) must be located in a building with a private school or a public school; or
   (C) be in a building that is or was originally constructed as a public school.

(2) Community Centre
   In the IS zone, a community centre must:
   (A) be on a lot that fronts on a major street on the Policy Areas Overlay Map; and
   (B) have a gross floor area no greater than 2500 square metres.

(3) Library
   In the IS zone, a library:
   (A) must be operated by or on behalf of the City of Toronto;
   (B) must be on a lot that fronts on a major street on the Policy Areas Overlay Map; and
   (C) may have a gross floor area no greater than 1500 square metres.

(4) Student Residence
   In the IS zone, a student residence must be in a building operated by a public school or private school that is on the same lot.

(5) Adult Education School
   In the IS zone, an adult education school must be:
   (A) in a building that has a private school or public school or in a building that is or was originally constructed as a private school or public school; and
   (B) funded by the Provincial or Federal government for:
      (i) adult English or French as a second language courses delivered by district school boards;
      (ii) literacy and basic skills programming delivered by community agencies or district school boards;
      (iii) credit courses for adults delivered by district school boards;
      (iv) continuing education programs, including general interest courses, delivered by district school boards;
      (v) adult Aboriginal language programs delivered by district school boards; or
      (vi) Canadian citizenship preparation programs delivered by district school boards.

(6) Ambulance Depot
   In the IS zone, an ambulance depot must be on a lot that:
   (A) fronts on a major street on the Policy Areas Overlay Map; or
   (B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(7) Fire Hall
   In the IS zone, a fire hall must be on a lot that:
   (A) fronts on a major street on the Policy Areas Overlay Map; or
   (B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(8) Police Station
   In the IS zone, a police station must be on a lot that:
(A) fronts on a major street on the Policy Areas Overlay Map; or
(B) fronts on a street which intersects a major street on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

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

(10) Public Utility
In the IS zone, a public utility must be enclosed by walls and comply with the permitted maximum lot coverage, required minimum building setbacks and permitted maximum height for a building in the IS zone if it is:
(A) a hydro electrical transformer station; or [ By-law: OMB PL130592 February 7, 2017 ]
(B) a natural gas regulator station.

(11) Renewable Energy Production or Cogeneration Energy Production
In the IS zone, renewable energy production or cogeneration energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(12) Municipal Shelter
In the IS zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(13) Secondary Suite
In the IS zone, a secondary suite must comply with the specific use regulations in Section 150.10.

(14) Transportation Use
A building or structure on a lot in the IS zone and used as a transportation use must comply with all requirements for a building on that lot.

80.40.30 Lot Requirements

80.40.30.10 Lot Area

(1) Minimum Lot Area
In the IS zone the required minimum lot area is 900 square metres.

80.40.30.20 Lot Frontage

(1) Minimum Lot Frontage
In the IS zone the required minimum lot frontage is 30.0 metres.

80.40.30.40 Lot Coverage

(1) Maximum Lot Coverage
In the IS zone, if a lot:
(A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; or
(B) is not in an area with a numerical value on the Lot Coverage Overlay Map, the permitted maximum lot coverage is 35%.
80.40.40 Principal Building Requirements

80.40.40.10 Height

(1) Maximum Height
   If a lot in a IS zone has:
      (A) a numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a
building or structure on that lot is the numerical value following the letters "HT" on the Height Overlay Map, in
metres; or
      (B) no numerical value following the letters "HT" on the Height Overlay Map, the permitted maximum height of a
building or structure on that lot is 14.0 metres.

(2) Height of Buildings and Structures - Green Roof
   In the IS zone, a parapet wall for a green roof may exceed the permitted maximum height for a building by 1.5 metres.

80.40.40.40 Floor Area

(1) Floor Space Index
   In the IS zone, the permitted maximum floor space index is:
      (A) the numerical value following the zone symbol on the Zoning By-law Map; or
      (B) 0.7, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [By-law: 0559-2014
(OMB PL130592)] [By-law: 1124-2018]

80.40.40.70 Setbacks

(1) Minimum Building Setbacks
   In the IS zone, the following required minimum 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 on a Lot with a Public School, Private School
   In the IS zone, a lot with a public school or a private school is subject to the following:
      (A) a minimum 1.5 metre wide strip of 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, and student drop-off and pick-up, a
minimum 3.0 metre wide strip of soft landscaping must be provided along all lot lines abutting a street.

80.40.60 Ancillary Buildings and Structures

80.40.60.10 Location

(1) Portable Classroom Buildings - Location
   In the IS zone, an portable classroom building may not be in a front yard.
80.40.60.20 Setbacks

(1) Ancillary Building or Structure to be Set Back from a Street
In the IS 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) Portable Classroom Buildings to be Set Back
In the IS zone, a 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 the Residential Zone category or Residential Apartment Zone category; and

(B) half the height of the portable classroom building in all other cases.

80.40.60.40 Height

(1) Portable Classroom Buildings - Height
In the IS zone, a portable classroom building must be less than 4.0 metres in height.

80.40.60.70 Lot Coverage

(1) Portable Classroom Buildings - Coverage
In the IS zone, in addition to complying with regulation 80.40.30.40(1), the lot area covered by portable classrooms may be no more than 50% of the lot area covered by the main school building.

80.40.80 Parking

80.40.80.1 General

(1) Parking Lots - Public School, Private School
In the 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 soft landscaping; and

(B) if an area used for the parking or storage of vehicles is located in a yard that abuts a lot in the Residential Zone category, a fence must be installed along the entire portion of the lot line abutting that lot.

80.40.80.10 Location

(1) Parking Space Location
In the IS zone, a parking space must be in a side yard or rear yard.

80.40.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
In the IS zone, a parking space which is not in a building or structure must be at least 0.5 metres from a lot line.

(2) Parking Area to be Set Back from a Lot in the Residential Zone Category
In the 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 the Residential Zone category.
80.40.80.40 Access to Parking Space

(1) Access to Parking Space
   In the IS zone, vehicle access to a parking space may not be over a lot in the Residential Zone category or Residential Apartment Zone category.

80.40.90 Loading

80.40.90.1 General

(1) Public School, Private School - Pick-Up / Drop-Off Areas
   For a public school or private school constructed on a lot in the IS zone pursuant to a building permit issued three years after May 9, 2013, a vehicle student pick-up and drop-off area must be provided on the same lot.

80.40.90.10 Location

(1) Loading Space
   In the IS zone, a loading space must be on the lot in a side yard or rear yard that does not abut a lot in the Residential Zone category or Residential Apartment Zone category.

80.40.90.40 Access to Loading Space

(1) Access to a Loading Space
   In the IS zone, vehicle access to a loading space may not be over a lot in the Residential Zone category or Residential Apartment Zone category.

80.40.150 Waste

80.40.150.1 General

(1) Storage of Waste
   In the IS zone:
   (A) all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013; and
   (B) the part of the building containing the waste and recyclable material must be at least 7.5 metres from a lot in the 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 all lands, uses, buildings and structures in the IPW zone.

80.50.20 Permitted Uses

80.50.20.10 Permitted Use

(1) Use - IPW Zone
In the IPW zone, the following uses are permitted:
- Park
- Place of Worship
- Religious Education Use
- Religious Residence

80.50.20.20 Permitted Use - with Conditions

(1) Use with Conditions - IPW Zone
In the IPW zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 80.50.20.100:
- Ambulance Depot (8)
- Cogeneration Energy (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 (13)
- Retail Store (6)
- Secondary Suite (14)
- Transportation Use (15)

80.50.20.100 Conditions

(1) Day Nursery
In the IPW zone, a day nursery:
(A) must be in a building with a place of worship; and
(B) may have an interior floor area no greater than 50% of the gross floor area of the first storey of the building.

(2) Place of Assembly
In the 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**
In the IPW zone, a **community centre** must:
(A) be on a **lot** that fronts on a major **street** on the Policy Areas Overlay Map; and
(B) have a **gross floor area** that is no greater than 1500 square metres.

(4) **Library**
In the IPW zone, a library:
(A) must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map; and
(B) may have a **gross floor area** no greater than 400 square metres.

(5) **Municipal Shelter**
In the IPW zone, a **municipal shelter** must comply with the specific use regulations in Section 150.22.

(6) **Retail Store**
In the IPW zone, a **retail store**:
(A) must be associated with a **place of worship**; and
(B) may not have an **interior floor area** exceeding 25 square metres.

(7) **Dwelling Unit**
In the IPW zone, a **place of worship** may have one **dwelling unit**, if:
(A) the **dwelling unit** is **ancillary** to the **place of worship**;
(B) the **lot** abuts a **lot** in the Residential Zone category, Residential Apartment Zone category, Commercial Residential Zone category, Commercial Residential Employment Zone category or Institutional Zone category; and
(C) the **interior floor area** of the **dwelling unit** is no more than 250 square metres.

(8) **Ambulance Depot**
In the IPW zone, an ambulance depot must be on a **lot** that:
(A) fronts on a major **street** on the Policy Areas Overlay Map; or
(B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(9) **Fire Hall**
In the IPW zone, a fire hall must be on a **lot** that:
(A) fronts on a major **street** on the Policy Areas Overlay Map; or
(B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(10) **Police Station**
In the IPW zone, a police station must be on a **lot** that:
(A) fronts on a major **street** on the Policy Areas Overlay Map; or
(B) fronts on a **street** which intersects a major **street** on the Policy Areas Overlay Map, and is no more than 250 metres from that intersection.

(11) **Public Utility**
In the IPW zone, a **public utility** may not be:
(A) a sewage treatment plant;
(B) a water filtration plant; and
(C) an above-ground water reservoir.

(12) **Public Utility**
In the IPW zone, a **public utility** must be enclosed by walls and comply with the permitted maximum **lot coverage**, required minimum **building setbacks** and permitted maximum height for a **building** in the IPW zone if it is:
(A) a hydro electrical transformer station; or [By-law: OMB PL130592 February 7, 2017]
(B) a natural gas regulator station.

(13) **Renewable Energy Production or Cogeneration Energy Production**

In the IPW zone, renewable energy production or cogeneration energy production must be in combination with another permitted use 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.

(15) **Transportation Use**

A building or structure on a lot in the IPW zone and used as a transportation use must comply with all requirements for a building on that lot.

80.50.30 Lot Requirements

80.50.30.20 Lot Frontage

(1) **Minimum Lot Frontage**

The required minimum lot frontage in the IPW zone is 20.0 metres.

80.50.30.40 Lot Coverage

(1) **Maximum Lot Coverage**

In the IPW zone, if a lot:

(A) is in an area with a numerical value on the Lot Coverage Overlay Map, that numerical value is the permitted maximum lot coverage, as a percentage of the lot area; or

(B) is not in an area with a numerical value on the Lot Coverage Overlay Map, the permitted maximum lot coverage is 40%.

80.50.40 Principal Building Requirements

80.50.40.10 Height

(1) **Maximum Height**

If a lot in the IPW zone is in an area that has:

(A) a numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a building or structure on the lot is the numerical value following the letters 'HT' on the Height Overlay Map, in metres; or

(B) no numerical value following the letters 'HT' on the Height Overlay Map, the permitted maximum height of a building or structure on the lot is 15.0 metres.

(2) **Height of Buildings and Structures - Green Roof**

In the IPW zone, a parapet wall for a green roof may exceed the permitted maximum height for a building by 1.5 metres.

(3) **Building Height - Architectural Elements**

In the IPW zone, a minaret, steeple or similar architectural element on a place of worship building may exceed the permitted maximum height of the building by 40%, if the horizontal area of the minaret, steeple or similar architectural element is no more than 30.0 square metres.
80.50.40.11 Height Exemptions

(1) Lawfully Existing Place of Worship - Building Height - Architectural Elements
   In the IPW zone, if a lawfully existing place of worship has a lawful architectural element such as a minaret, steeple or similar architectural element that exceeds the permitted maximum height for a building, the permitted maximum height for that architectural element is its lawful height, for that lawfully existing place of worship.

80.50.40.40 Floor Area

(1) Floor Space Index
   In the IPW zone, the permitted maximum floor space index is:
   (A) the numerical value following the zone symbol on the Zoning By-law Map; or
   (B) 0.8, if the zone symbol is not followed by a numerical value on the Zoning By-law Map. [By-law: 0559-2014 (OMB PL130592)] [By-law: 1124-2018]

80.50.40.60 Permitted Encroachments

(1) Encroachments into a Front Yard or Side Yard Abutting a Street
   In the IPW zone, a platform without main walls such as a porch, a canopy, exterior stairs, pedestrian access ramp or an elevating device, may encroach into a front yard or a side yard abutting a street, if no part is more than 2.0 metres from the main wall.

80.50.40.70 Setbacks

(1) Minimum Front Yard Setback
   In the IPW zone, the required minimum building setback from a front lot line is:
   (A) 3.0 metres if the street is a major street on the Policy Areas Overlay Map; and
   (B) for all other streets, the greater of:
      (i) 7.5 metres; or
      (ii) a distance equal to half the height of the building.

(2) Minimum Side Yard Setback
   In the IPW zone, the required 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) Minimum Side Yard Setback from a Street
   In the IPW zone, the required 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 the IPW zone, the required minimum rear yard setback is the greater of:
   (A) 7.5 metres; or
   (B) the distance equal to half the height of the building.
80.50.50 Yards

80.50.50.10 Landscaping

(1) Front Yard Landscaping
Despite regulation 5.10.50.10(1), in the IPW zone, all parts of the front yard not used as a driveway must be landscaping, and a minimum of 75% of the required landscaping must be soft landscaping.

(2) Abutting the Residential Zone Category or Residential Apartment Zone Category
A lot in the IPW zone abuts that a lot in the Residential Zone category or Residential Apartment Zone category must have a minimum 1.5 metre wide strip of soft landscaping along the entire length of the part of the lot line abutting that lot.

80.50.60 Ancillary Buildings and Structures

80.50.60.20 Setbacks

(1) Ancillary Building or Structure to be Set Back from the Street
In the IPW zone, an ancillary building or structure may be no 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 the 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) half the height of the ancillary building or structure.

80.50.60.70 Lot Coverage

(1) Lot coverage - Ancillary Buildings and Structures
In the IPW zone, a maximum of 15% of the lot area may be covered by ancillary buildings and structures.

80.50.80 Parking

80.50.80.10 Location

(1) Parking Space Location Restriction
In the IPW zone, a parking space may not be in a front yard.

80.50.80.20 Setbacks

(1) Parking Space to be Set Back from a Lot Line
A parking space which is not 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 the IPW zone, vehicle access to a parking space may not be over any lot in the Residential Zone category or Residential Apartment Zone category.
80.50.150 Waste

80.50.150.1 General

(1) Waste Storage
In the IPW zone, all waste and recyclable material must be stored in a wholly enclosed building, if a building is constructed pursuant to a building permit issued more than three years after May 9, 2013.
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 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) Lawfully Existing Public School, Private 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 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 Section 150.48 and the requirements for the zone in which the **lot** is located.

90.5.40 Principal Building Requirements

90.5.40.1 General

(1) Building Requirements
Additional **building** requirements are in each zone in the Open Space Zone category.

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 **average grade** and the elevation of the highest point of that **building** or **structure**.

(2) Height of Specific Structures on a Building
In the Open Space Zone category, the following **structures** 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 of Elements for Functional Operation of a Building**

In the Open Space 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, 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 permitted maximum height for a building in regulation 90.5.40.10(3), must comply with the following:

(A) their 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 of Rooftop Amenity Space Safety and Wind Protection**

In the Open Space Zone category, unenclosed structures providing safety or wind protection to rooftop amenity space 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 for a building or structure, 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 90.5.40.11(1) must comply with the permitted maximum height for a building 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 constructed 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 permitted maximum gross floor area, the lawful gross floor area of those lawfully existing buildings is the permitted maximum gross floor area for those lawfully existing buildings on that lot.

(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 permitted maximum floor space index, the lawful floor space index of those lawfully existing buildings is the permitted maximum 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 minimum 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 ground 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 required minimum building setback from:
   (A) a front lot line, that lawful building setback is the required minimum front yard setback for that lawfully existing building or structure;
   (B) a rear lot line, that lawful building setback is the required minimum rear yard setback for that lawfully existing building or structure; and
   (C) a side lot line, that lawful building setback is the required minimum side yard setback 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 90.5.40.71(1) must comply with the required minimum building setbacks 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 required minimum distance from the original centreline of the lane, 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 required 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 required 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 may be no closer to a lot line than the greater of:
   (A) 10 metres;
   (B) the minimum building setback requirements; 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 solar energy device or a thermal solar energy device that is:
(A) on a **building**:

(i) must comply with the required minimum **building setbacks** for a **building** on the **lot**; and

(ii) no part of the device may be higher than 3.0 metres above the permitted maximum height for the **building**; and

(B) 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 may be closer to a **lot line** than the greater of:

(A) the required minimum **building setbacks** 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:

(A) must be set back at least 10.0 metres from any **lot line**; and

(B) must comply with the requirements for a **building** or **structure**, other than a required minimum **building setback** less than the requirement in (A) above.

(6) **Cogeneration Device**

In the Open Space Zone category, a **cogeneration energy** device must be 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.

(2) **Location of Required Parking Spaces**

A **parking space** must be 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, uses, buildings and structures in the O zone.

90.10.20 Permitted Uses

90.10.20.10 Permitted Use

(1) Use - O Zone
The following uses are permitted in the 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 the 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 (2)
- Education Use (1)
- Recreation Use (1)
- Renewable Energy (2)

90.10.20.100 Conditions

(1) Club, Education Use or Recreation Use
In the O zone, a club, an education use or a recreation use may not be in a building.

(2) Cogeneration Energy Production or Renewable Energy Production
In the O zone, cogeneration energy production or renewable energy production must be in combination 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

90.10.40.10 Height

(1) Maximum Height
The permitted maximum height of a building or structure in the O zone is 4.0 metres.

90.10.40.11 Height Exemptions

(1) Height Exemptions
Regulation 90.10.40.10(1) does not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum building height is no greater than 10.5 metres. [103-2016] [ By-law: 1031-2014 ]
90.10.40.40 Floor Area

(1) Maximum Floor Area
In the O zone, the permitted maximum gross floor area of a building is 50.0 square metres.

90.10.40.41 Floor Area Exemptions

(1) Floor Area Exemptions
Regulation 90.10.40.40(1) does not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the lot. [103-2016] [ By-law: 1031-2014 ]

90.10.40.70 Setbacks

(1) Building Setbacks
For a building or structure in the O zone, the required 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.

90.10.40.71 Setbacks Exemptions

(1) Setback Exemptions
Regulation 90.10.40.70(1) does not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that the setbacks are between 0 and 15 metres. [103-2016] [ By-law: 1031-2014 ]
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, uses buildings and structures in the ON zone.

90.20.20 Permitted Uses

90.20.20.10 Permitted Use

(1) Use - ON Zone
The following uses are permitted in the 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 the 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 (2)
- Education Use (1)
- Entertainment Place of Assembly (1)
- Place of Assembly (1)
- Recreation Use (1)
- Renewable Energy (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 the ON zone, a club, an education use, an entertainment place of assembly, a place of assembly, or a recreation use:
- (A) must be combined with a park or an agricultural use; and
- (B) may not be in a wholly enclosed building.

(2) Cogeneration Energy Production or Renewable Energy Production
In the ON zone, cogeneration energy production or renewable energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(3) Retail Store
In the ON zone, a retail store:
- (A) must be associated with an agricultural use on the same lot; and
(B) may not be in a wholly enclosed building.

(4) Stable
In the ON zone, a stable must be in association 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 the ON zone, except for conservation works, public utilities and transportation uses.

90.20.40.10 Height

(1) Maximum Height
The permitted maximum height for a building or structure on a lot in the ON zone is:
(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
(B) if the lot is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

90.20.40.11 Height Exemptions

(1) Height Exemptions
Regulation 90.20.40.10(1) does not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum building height is no greater than 10.5 metres. [103-2016] [By-law: 1031-2014]

90.20.40.40 Floor Area

(1) Maximum Gross Floor Area
The permitted maximum gross floor area for a building in the ON zone is 500 square metres.

90.20.40.41 Floor Area Exemptions

(1) Floor Area Exemptions
Regulation 90.20.40.40(1) does not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that the maximum floor area is no greater than 2 times the area of the lot. [103-2016] [By-law: 1031-2014]

90.20.40.70 Setbacks

(1) Building Setbacks
In the ON zone, the required minimum building setback from a front lot line, a rear lot line and a side lot line is 3.0 metres.

90.20.40.71 Setbacks Exemptions

(1) Setback Exemptions
Regulation 90.20.40.70(1) does not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East, provided that setbacks are between 0 and 15 metres. [103-2016] [By-law: 1031-2014]
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, uses, buildings and structures in the OR zone.

90.30.20 Permitted Uses

90.30.20.10 Permitted Use

(1) Use - OR Zone
The following uses are permitted in the 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 the 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 (2)
- Eating Establishment (3)
- Education Use (1)
- Municipal Shelter (4)
- Outdoor Patio (5)
- Personal Service Shop (3)
- Public Works Yard (6)
- Renewable Energy (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 the OR zone, an amusement arcade, a club, an education use, or a stable must be combined with a use permitted in regulation 90.30.20.10(1).

(2) Cogeneration Energy Production or Renewable Energy Production
In the OR zone, cogeneration energy production or renewable energy production must be in combination 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 the OR zone, an eating establishment, a personal service shop, a retail store, a service shop, or a take-out eating establishment:
   (A) must be combined with a use permitted in regulation 90.30.20.10(1); and
   (B) the interior floor area may be no greater than 500 square metres.

(4) Municipal Shelter
In the OR zone, a municipal shelter must comply with the specific use regulations in Section 150.22.

(5) Outdoor Patio
In the OR zone, an outdoor patio 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 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 a lawfully existing outdoor patio is closer to a lot than required in (A) or (B) above, that lawful distance from a lot in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that lawfully existing outdoor patio from that lot.

(6) Public Works Yard
A public works yard in the OR zone is subject to the following:
   (A) it must be in association 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

90.30.40.10 Height

(1) Maximum Height
The permitted maximum height for a building or structure on a lot in the OR zone is:
   (A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
   (B) if the lot is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

90.30.40.70 Setbacks

(1) Front Yard Setbacks
In the OR zone, if a lot is:
   (A) beside one lot that has a building fronting on the same street and that building is, in whole or in part, 15.0 metres or less from the building on the subject lot, the required minimum front yard setback is the front yard setback of that building on the abutting lot;
(B) between two abutting lots, each with a building fronting on the same street and those buildings are both, in whole or in part, 15.0 metres or less from the building on the subject lot, the required minimum front yard setback is the average of the front yard setbacks of those buildings on the abutting lots; and

(C) in all other cases, the required minimum front yard setback is 6.0 metres.

(2) Rear Yard Setback and Side Yard Setback
In the OR zone, the required minimum rear yard setback and side yard setback is:

(A) a distance equal to the height of the building to a maximum of 15.0 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 the OR zone, the required 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, uses, buildings and structures in the OG zone.

90.40.20 Permitted Uses

90.40.20.10 Permitted Use

(1) Use - OG Zone
The following uses are permitted in the 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 the 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 (3)
Eating Establishment (2)
Education Use (2)
Outdoor Patio (4)
Personal Service Shop (5)
Place of Assembly (2)
Recreation Use (2)
Renewable Energy (3)
Retail Store (5)
Service Shop (5)
Take-out Eating Establishment (5)

90.40.20.100 Conditions

(1) Amusement Arcade
In the OG zone, an amusement arcade:
(A) must be combined with a park or a golf course; and
(B) may have no more than 12 amusement devices.

(2) Club, Eating Establishment, Education Use, Place of Assembly, or Recreation Use
In the OG zone, a club, an eating establishment, an education use, a place of assembly, or a recreation use must be combined with a park or a golf course.
(3) **Cogeneration Energy Production or Renewable Energy Production**

In the OG zone, *cogeneration energy* production or *renewable energy* production must be in combination 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 the 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 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 a *lawfully existing outdoor patio* is closer to a *lot* than required in (A) or (B) above, that *lawful distance* from a *lot* in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that *lawfully existing outdoor patio* from that *lot*.

(5) **Personal Service Shop, Retail Store, Service Shop, or Take-out Eating Establishment**

In the OG zone, a *personal service shop*, a *retail store*, a *service shop*, or a *take-out eating establishment*:

(A) must be combined with a *park* or a golf course; and

(B) the *interior floor area* may no greater than 500 square metres.

### 90.40.40 Principal Building Requirements

#### 90.40.40.10 Height

(1) **Maximum Height**

The permitted maximum height for a *building* or *structure* on a *lot* in the OG zone is:

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

(B) if the *lot* is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

#### 90.40.40.40 Floor Area

(1) **Floor Space Index**

In the OG zone, the permitted maximum floor space index is 0.15.

#### 90.40.40.70 Setbacks

(1) **Building Setbacks**

In the OG zone, the required 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, uses, buildings and structures in the OM zone.

90.50.20 Permitted Uses

90.50.20.10 Permitted Use

(1) Use - OM Zone
The following uses are permitted in the 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 the 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 (3)
Eating Establishment (2)
Education Use (2)
Outdoor Patio (4)
Personal Service Shop (5)
Place of Assembly (2)
Recreation Use (2)
Renewable Energy (3)
Retail Store (5)
Service Shop (5)
Take-out Eating Establishment (5)

90.50.20.100 Conditions

(1) Amusement Arcade
In the OM zone, an amusement arcade:
(A) must be combined with a park or a marina; and
(B) may have no more than 12 amusement devices.

(2) Club, Eating Establishment, Education Use, Place of Assembly, or Recreation Use
In the OM zone, a club, an eating establishment, an education use, a place of assembly, or a recreation use must be combined with a park or a marina.
(3) **Cogeneration Energy Production or Renewable Energy Production**

In the OM zone, *cogeneration energy* production or *renewable energy* production must be in combination with another permitted use on the *lot*, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(4) **Outdoor Patio**

In the OM zone, an *outdoor patio* combined with an *eating establishment* is subject to the following:

(A) the *outdoor patio* must not be used for entertainment purposes such as listening to, watching or performing, music and dancing;

(B) the *outdoor patio* may be no closer than 10.0 metres from a *lot* in the Residential Zone category or Residential Apartment Zone category;

(C) despite (B) above, if the *outdoor patio* is 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 Residential Apartment Zone category; and

(D) if a *lawfully existing outdoor patio* is closer to a *lot* than required in (B) or (C) above, that *lawful* distance from a *lot* in the Residential Zone category or Residential Apartment Zone category is the minimum distance for that *lawfully existing outdoor patio* from that *lot*.

(5) **Personal Service Shop, Retail Store, Service Shop, or Take-out Eating Establishment**

In the OM zone, a *personal service shop*, a *retail store*, a *service shop*, or a *take-out eating establishment*:

(A) must be combined with a *park* or a marina; and

(B) the *interior floor area* may be no greater than 500 square metres.

90.50.40 Principal Building Requirements

90.50.40.10 Height

(1) **Maximum Height**

The permitted maximum height for a *building* or *structure* on a *lot* in the OM zone is:

(A) the numerical value, in metres, following the letters “HT” on the Height Overlay Map; or

(B) if the *lot* is in an area with no numerical value following the letters “HT” on the Height Overlay Map, 15.0 metres.

90.50.40.40 Floor Area

(1) **Floor Space Index**

In the OM zone, the permitted maximum floor space index is 0.15.

90.50.40.70 Setbacks

(1) **Building Setbacks**

In the OM zone:

(A) the required 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*; and

(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, uses, buildings and structures in the OC zone.

90.70.20 Permitted Uses

90.70.20.10 Permitted Use

(1) Use - OC Zone
The following uses are permitted in the 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 the 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 (1)
- Funeral Visitation Centre (2)
- Office (3)
- Renewable Energy (1)
- Retail Store (3)

90.70.20.100 Conditions

(1) Cogeneration Energy Production or Renewable Energy Production
In the OC zone, cogeneration energy production or renewable energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(2) Funeral Visitation Centre
In the OC zone, a funeral visitation centre must be combined with a cemetery.

(3) Office or Retail Store
In the OC zone, an office or a retail store must be in association with a cemetery or a funeral visitation centre.

90.70.40 Principal Building Requirements

90.70.40.10 Height

(1) Maximum Height
The permitted maximum height for a building or structure on a lot in the OC zone is:
(A) the numerical value, in metres, following the letters "HT" on the Height Overlay Map; or
(B) if the lot is in an area with no numerical value following the letters "HT" on the Height Overlay Map, 15.0 metres.

90.70.40.40 Floor Area

(1) Floor Space Index
   In the OC zone, the permitted maximum floor space index is 0.15.

90.70.40.70 Setbacks

(1) Building Setbacks
   In the OC zone, the required 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 required 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 may 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; and
   (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 may be no closer to a lot that is not in the Residential Zone category or Residential Apartment Zone category than the greater of:
   (A) 7.5 metres; or
   (B) a distance equal to its height.

90.70.40.81 Separation Exemptions

(1) Permitted Separation from Other Zones for Lawfully Existing Columbarium or Mausoleum
   In the OC zone, if the lawful separation distance between a lawfully existing columbarium or mausoleum and a lot is less than the required minimum separation distance, that lawful separation distance is the minimum separation distance between that lawfully existing columbarium or mausoleum and that lot.

(2) Additions to Lawfully Existing Columbarium or Mausoleum - Separation from Other Zones
   Any addition or extension to a lawfully existing columbarium or mausoleum referred to in regulation 90.70.40.81(1) must comply with the required minimum separation distance from a lot or be authorized by a Section 45 Planning Act minor variance.
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 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

100.5.75.1 General

(1) Renewable Energy or Cogeneration Energy Device - Location Restriction
In the Utility and Transportation Zone category, a device producing renewable energy or cogeneration energy may be no closer to a lot line than the greater of:

(A) 10 metres;

(B) the required minimum building setbacks for a building on the lot; or

(C) a distance equal to the height of the device, measured between average grade at its base to the elevation of the highest part of the device.

(2) Renewable Energy Device - Height Requirements
In the Utility and Transportation Zone category, a photovoltaic solar energy device or a thermal solar energy device that is:

(A) on a building:
    (i) must comply with the minimum building setbacks for a building on the lot; and
    (ii) no part of the device may be higher than 3.0 metres above the permitted maximum height for the building; and

(B) ground mounted, no part of the device may be more than 5.0 metres above 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 may be closer to a lot line than the greater of:

(A) the required minimum building setbacks for a building on the lot; or

(B) a distance equal to two times the height of the device, measured between 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 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:

(A) must be set back at least 10.0 metres from any lot line; and
(B) must comply with the requirements for a building or structure, other than a required minimum building setback which is 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 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 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 the 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 the 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 (1)
Open Storage (2)
Public Parking (3)
Public Works Yard (4)
Recreation Use (5)
Renewable Energy (1)
Vehicle Depot (6)

100.10.20.100 Conditions

(1) Cogeneration Energy Production or Renewable Energy Production
In the UT zone, cogeneration energy production or renewable energy production must be in combination with another permitted use on the lot, and comply with all Municipal, Provincial and Federal by-laws, statutes and regulations.

(2) Open Storage
In the UT zone, open storage for a public utility or transportation use must be at least 100 metres from a lot in the Residential Zone category, the Residential Apartment Zone category or the Commercial Residential Employment Zone category, or a lot in a CR zone where the "r" value in the zone label is greater than 0.0.

(3) Public Parking
Public parking in the UT zone must be in association 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 the UT zone, a **public works yard** must be at least 100 metres from a **lot** in the Residential Zone category, the Residential Apartment Zone category or the Commercial Residential Employment Zone category, or a **lot** in a CR zone where the "r" value in the zone label is greater than 0.0.

(5) **Recreation Use**
In the UT zone, a **recreation use** must not be in a **building**.

(6) **Vehicle Depot**
In the UT zone, a **vehicle depot** must be:

(A) in association with a **public utility** or a **transportation use**; and

(B) at least 100 metres from a **lot** in the Residential Zone category, the Residential Apartment Zone category or the Commercial Residential Employment Zone category, or a **lot** in a CR zone where the "r" value in the zone label is greater than 0.0.

### 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 the UT zone, a **building** or **structure** used for the treatment of sewage must be at least 100 metres from a **lot** in the Residential Zone category, the Residential Apartment Zone category or the Commercial Residential Employment Zone category, or a **lot** in a CR zone where the "r" value in the zone label is greater than 0.0.

#### 100.10.40.81 Separation Exemptions

(1) **Permitted Separation from Other Zones for Lawfully Existing Buildings or Structures**
In the UT zone, if the **lawful** separation distance between a **lawfully existing building** or **structure** and a **lot** is less than the required minimum separation distance, that lawful separation distance is the minimum separation distance between that **lawfully existing building** or **structure** and that **lot**.

(2) **Additions to Lawfully Existing Buildings or Structures - Separation from Other Zones**
Any addition or extension to a **lawfully existing building** or **structure** referred to in regulation 100.10.40.81(1) must comply with the required minimum separation distance from a **lot** or be authorized by a Section 45 Planning Act minor variance.

#### 100.10.80 Parking

#### 100.10.80.20 Setbacks

(1) **Parking Space to be Set Back from a Lot Line**
A **parking space** that is not 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 home occupations.

150.5.20 Use Requirements

150.5.20.1 General

(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 or medical office for a professional regulated under the College of Physicians and Surgeons of Ontario;
(D) be an office or medical 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.

(3) Home Occupation - No Outdoor Activities, Services, Display or Storage
A home occupation may not have outdoor activities, services, display or open storage.

(4) 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.

(5) 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.

(6) 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.

(7) Home Occupation - Personal Services Permitted in the R Zone
Despite regulations 150.5.20(1) and (2), a home occupation in the 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.
(8) **Home Occupation - Health Related Professionals Office Permitted in the R Zone**

(A) Despite regulations 150.5.20.1(1) and (2), a **home occupation** in the R zone may be:

(i) an office or medical office for a professional regulated under the College of Physicians and Surgeons of Ontario; and

(ii) an office or medical office for a professional regulated under the Regulated Health Professions Act, 1991, S.O. 1991, c. 18, as amended; and

(B) Despite regulation 150.5.20.1(6), a **home occupation** in the 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 may be no exterior alteration to a **building** to accommodate a **home occupation**.

(2) **Home Occupation - Health Related Professionals Office in an Apartment Building in the R Zone**

In the 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**.

150.8 Laneway Suites

150.8.1 General

(1) **Application of this Section**

The regulations of Section 150.8 apply to **laneway suites**. [By-law: 810-2018]

(2) **Laneway Suite Permission**

A **laneway suite** permitted in accordance with regulation 10.10.20.20(1) must be located in the R zone within the area identified on the Laneway Suite Overlay District Map in Diagram 1 of By-law 810-2018. [By-law: 810-2018]
150.8.20 Use Requirements

150.8.20.1 General

(1) Laneway Suite – Permitted Uses

(A) Despite regulation 10.5.60.1(2), an **ancillary building** may be used for living accommodation in one **laneway suite**.

(B) Despite regulation 10.5.60.1(3), an **ancillary building** may have both food preparation facilities and sanitary facilities in a **laneway suite**.

(C) Despite regulation 150.5.60.1(1) a **home occupation** is permitted in a **laneway suite** if the **laneway suite** is exclusively and separately occupied as a principal residence, applying the regulations of Section 150.5 as if it is a **dwelling unit**; and

(D) Despite regulation 150.13.20.1(1) a **short-term rental** is permitted in an **ancillary building** if it is in a **laneway suite** that is exclusively and separately occupied as a principal residence. [By-law: 810-2018 ]

(2) Laneway Suite – Use Restriction

A maximum of one **ancillary building** containing a **laneway suite** is permitted on a **lot**. [By-law: 810-2018 ]

150.8.30 Lot Requirements

150.8.30.20 Lot Line

(1) Minimum Lot Line on a Lane

A **laneway suite** must be on a **lot** with a **rear lot line** or **side lot line** abutting a **lane** for at least 3.5 metres. [By-law: 810-2018 ]

150.8.50 Yards

150.8.50.10 Landscaping

(1) Landscaping Requirements for a Laneway Suite

Despite regulation 10.5.50.10 (3), for a **lot** with a residential building and an **ancillary building** containing a **laneway suite**:

(A) with a **lot frontage** of 6.0 metres or less, a minimum of 60 percent of the area between the rear **main wall** of the **residential building** and the front **main wall** of the **ancillary building** containing a **laneway suite** must be for **soft landscaping**;

(B) with a **lot frontage** of greater than 6.0 metres, a minimum of 85 percent of the area between the rear **main wall** of the **residential building** and the front **main wall** of the **ancillary building** containing a **laneway suite** must be for **soft landscaping**; and

(C) the area between the **ancillary building** containing a **laneway suite** and the **lot line** abutting a **lane**, excluding a permitted **driveway**, must be **landscaping**, of which a minimum of 75 percent must be **soft landscaping**. [By-law: 810-2018 ]

150.8.60 Ancillary Building Requirements When Containing a Laneway Suite

150.8.60.20 Setbacks

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

The required minimum **ancillary building setbacks** apply to all parts of an **ancillary building** containing a **laneway suite** above-ground and below-ground, excluding footings. [By-law: 810-2018 ]
(2) Laneway Suite - Rear Yard Setback
Despite regulations 10.5.60.20(2) and (5) and regulation 10.10.60.20(1), the required minimum rear yard setback for an ancillary building containing a laneway suite is:

(A) if the rear lot line does not abut a street or lane and there are no openings such as vehicle access, doors or windows in the rear main wall of the ancillary building, 0.0 metres; and
(B) in all other cases, 1.5 metres. [ By-law: 810-2018 ]

(3) Laneway Suite – Side Yard Setback
Despite regulations 10.5.60.20(3) and (6) and regulation 10.10.60.20(1), the required minimum side yard setback for an ancillary building containing a laneway suite is:

(A) if the side lot line does not abut a street or lane and there are no openings such as vehicle access, doors or windows in the side main wall of the ancillary building, 0.0 metres;
(B) if the side lot line abuts a street, the required minimum side yard setback for the residential building on the lot; and
(C) in all other cases, 1.5 metres. [ By-law: 810-2018 ]

150.8.60.30 Separation and Dimensions

(1) Minimum Separation between a Residential Building and the Ancillary Building
Despite regulation 10.5.60.30(1) an ancillary building containing a laneway suite must be:

(A) no less than 5.0 metres from a residential building on the same lot if the height of the ancillary building is no greater than 4.0 metres; and
(B) no less than 7.5 metres from a residential building on the same lot if the height of the ancillary building is greater than 4.0 metres. [ By-law: 810-2018 ]

(2) Rear Angular Plane
The front main wall of an ancillary building containing a laneway suite may not penetrate a 45 degree angular plane projected towards the rear lot line beginning from a height of 4.0 metres at a distance of 7.5 metres from rear main wall of the residential building. [ By-law: 810-2018 ]

(3) Width of Dormers in a Roof
For purposes of determining the rear angular plane required in (2) above, in an ancillary building containing a laneway suite, 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 30 percent of the total width of the ancillary building’s front main wall, measured at the level of the uppermost storey below the roof. [ By-law: 810-2018 ]

(4) Maximum Length of a Laneway Suite
The permitted maximum building length for an ancillary building containing a laneway suite is 10.0 metres. [ By-law: 810-2018 ]

(5) Maximum Width of a Laneway Suite
The permitted maximum building width of an ancillary building containing a laneway suite is 8.0 metres, measured perpendicular to the lot centreline. [ By-law: 810-2018 ]

150.8.60.40 Height

(1) Maximum Height of a Laneway Suite
Despite regulation 10.5.60.40(2)(B), the permitted maximum height of an ancillary building containing a laneway suite is:

(A) if the ancillary building containing a laneway suite is located a minimum of 5.0 metres to less than 7.5 metres from the residential building on the lot, 4.0 metres; and
(B) if the ancillary building containing a laneway suite is located 7.5 metres or more from the residential building on the lot, 6.0 metres. [ By-law: 810-2018 ]
(2) **Maximum Storeys for Laneway Suites**

Despite regulation 10.5.60.40(3), an ancillary building or structure containing a laneway suite may have a maximum of two storeys, subject to (1) above. [By-law: 810-2018]

(3) **Height of Specific Structures on a Laneway Suite**

The following structures on the roof of an ancillary building containing a laneway suite may exceed the permitted maximum height for that building by 1.0 metres:

- (A) antennae;
- (B) flagpoles;
- (C) parapets for a green roof, if they are no closer than 1.0 metres to the main walls of the ancillary building;
- (D) satellite dishes; and
- (E) weather vanes. [By-law: 810-2018]

(4) **Height of Elements for Functional Operation of a Building**

The following equipment and structures on the roof of an ancillary building containing a laneway suite may exceed the permitted maximum height for that building by 1.0 metres, subject to (5) below:

- (A) equipment used for the functional operation of the ancillary building containing a laneway suite, such as electrical, utility, mechanical and ventilation equipment;
- (B) structures or parts of the ancillary building containing a laneway suite used for the functional operation of the building, such as enclosed stairwells, roof access, maintenance equipment storage, chimneys, vents, and water supply facilities; and
- (C) structures that enclose, screen or cover the elements listed in (A) and (B) above. [By-law: 810-2018]

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

Equipment, structures or parts of a building permitted in (4) above must not:

- (A) cover more than 30 percent of the area of the roof, measured horizontally; and
- (B) be located closer than 1.0 metres to the main walls of the ancillary building. [By-law: 810-2018]

(6) **Height of Laneway Suite Entrance**

Regulation 10.5.60.40(4) does not apply to an ancillary building containing a laneway suite. [By-law: 810-2018]

### 150.8.60.50 Floor Area

(1) **Exclusion from Floor Space Index**

The gross floor area an ancillary building containing a laneway suite is not included for the purpose of calculating the total gross floor area and floor space index for a lot. [By-law: 810-2018]

(2) **Laneway Suite – Interior Floor Area**

The interior floor area of an ancillary building containing a laneway suite must be less than the gross floor area of the residential building on a lot. [By-law: 810-2018]

### 150.8.60.60 Decks, Platforms and Amenities, and Permitted Encroachments

(1) **Interpretation of Platform Walls**

The exterior sides of a platform, such as a deck, porch, balcony or similar structure, attached to or within 0.3 metres of an ancillary building containing a laneway suite, are not main walls if at least 50 percent of the exterior sides above the floor are open to the outside. [By-law: 810-2018]

(2) **Platform Restrictions**

Despite regulation 10.5.60.20(11) a platform without main walls in accordance with (1) above, is permitted, if:

- (A) the area of the platform, other than a green roof, is less than 10 percent of the interior floor area of the laneway suite;
- (B) the platform complies with the required minimum building setbacks, separation distances and angular planes for the ancillary building containing a laneway suite; and
(C) the exterior sides of a platform adjacent to a side yard must be visually screened from an abutting lot by an opaque barrier with a vertical dimension of no less than 1.5 metres. [By-law: 810-2018]

(3) Platform Height
Despite regulation 10.5.60.40(5)(B), the level of the floor of a platform permitted in accordance with (2) above, other than a green roof, must be:

(A) no higher than 0.2 metres above the level of the floor of the storey from which it gains access; and
(B) no higher than 4.0 metres above average grade unless it is attached to or within 0.3 metres of a main wall facing a lane. [By-law: 810-2018]

(4) Permitted Encroachments for Platforms
Despite (2)(B) above, a platform without main walls in accordance with (1) above, together with stairs or ramps leading to the platform, may encroach into the distance separation required in regulation 150.8.60.30(1) a maximum of 1.5 metres from the front main wall of the ancillary building if the platform is no higher than 0.3 metres above the average elevation of the ground measured along the front main wall of the ancillary building. [By-law: 810-2018]

(5) Permitted Encroachments for Canopies and Awnings
A canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with (4) above, may encroach into a required separation distance or building setback, subject to the following:

(A) the maximum height of the roof, canopy, awning or similar structure is 4.0 metres above the average elevation of the ground measured along the abutting main wall of the ancillary building;
(B) a canopy, awning or similar structure may encroach into the distance separation required in regulation 150.8.60.30(1) a maximum of 1.5 metres from the front main wall of the ancillary building; and
(C) between a lane and the ancillary building containing a laneway suite, a canopy, awning or similar structure may encroach into the ancillary building’s main wall facing the lane. [By-law: 810-2018]

(6) Architectural Features
Architectural features on an ancillary building containing a laneway suite must comply with the following:

(A) a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature may encroach into a building setback required in Clause 150.8.60.20 or into the distance separation required in regulation 150.8.60.30(1) a maximum of 0.6 metres; and
(B) a chimney breast may encroach into a building setback required in Clause 150.8.60.20 or into the distance separation required in regulation 150.8.60.30(1) a maximum of 0.6 metres, if it is no wider than 2.0 metres. [By-law: 810-2018]

(7) Equipment
Wall mounted equipment on an ancillary building containing a laneway suite, such as vents, pipes, utility equipment, satellite dishes, antennae or air conditioners, may encroach a maximum of 0.6 metres into:

(A) on a main wall of the ancillary building facing a lane, the minimum building setbacks abutting the lane required in Clause 150.8.60.20; and
(B) on the front main wall of the ancillary building, the distance separation required in regulation 150.8.60.30(1). [By-law: 810-2018]

150.8.60.70 Lot Coverage

(1) Lot Coverage Requirement for a Lot with a Laneway Suite
Despite regulations 10.5.60.70(1) and 10.10.60.70(1), if a lot has an ancillary building containing a laneway suite, the area of the lot covered by all ancillary buildings combined, including the ancillary building containing a laneway suite, may not exceed 30 percent of the lot area. [By-law: 810-2018]
150.8.80 Parking and Bicycle Parking

150.8.80.1 General

(1) Parking Space Requirement for a Lot with a Laneway Suite
   Despite the parking space requirements in regulation 200.5.10.1(1):
   (A) if a lot has an ancillary building containing a laneway suite, no parking spaces are required for any dwelling units and secondary suites in a detached house, semi-detached house, townhouse, duplex, triplex, or fourplex on the same lot; and
   (B) no parking space is required for a laneway suite. [By-law: 810-2018]

(2) Bicycle Parking Space Requirement for a Laneway Suite
   An ancillary building containing a laneway suite must have two bicycle parking spaces within the laneway suite or within any required yard setback. [By-law: 810-2018]

150.10 Secondary Suite

150.10.1 General

(1) Application of this Section
   The regulations in Section 150.10 apply to secondary suites.

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 in:
   (A) a detached house; 
   (B) a semi-detached house; and
   (C) a townhouse if it is in the 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 the R Zone
   In the 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 the R Zone
   Despite regulation 150.10.20.1(2), in the R zone, a residential building that was 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 the 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**

   An addition or exterior alteration to a **building** to accommodate a **secondary suite** is permitted if:

   (A) it does not alter or add to a **main wall** or roof that faces a **street**; and

   (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 no 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 with No Maximum Floor Space Index**

   If a **building** in the Residential Zone category is not subject to a maximum 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 at least 65.0 square metres.
150.10.80 Parking

150.10.80.1 General

(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.

150.13 Short-term Rentals

150.13.1 General

(1) Application of this Section
The regulations in Section 150.13 apply to short-term rentals. [By-law: 1453-2017 Enacted]

150.13.20 Use Requirements

150.13.20.1 General

(1) Short-term Rental – Use Restriction
A short-term rental is permitted in a dwelling unit, secondary suite or bed-sitting room, if:

(A) there are no more than three bed-sitting rooms in a dwelling unit used for this purpose;
(B) the secondary suite is exclusively and separately occupied as a principal residence; and
(C) it is not in a vehicle. [By-law: 1453-2017 Enacted]

150.15 Group Home

150.15.1 General

(1) Application of this Section
The regulations in Section 150.15 apply to group homes or residential care homes.

(2) Foster Group Homes
Despite regulation 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 entire building and may not be combined with any other use.

(2) Group Home - Type of Building in the Residential Zone Category
In the Residential Zone category, a group home may be in:

(A) a building that was originally constructed as a detached house; and
(B) a building that was originally constructed as a semi-detached house if:

(i) the building is on a lot in the R zone; and
(ii) the group home occupies the entire building.

150.15.30 Lot Requirements

150.15.30.1 General

(1) [Deleted]
   [By-law: 0550-2014]
(2) Correctional Use - Location
   A group home or a residential care home used for correctional purposes must be on a lot that:
   (A) is not in the RD zone; and
   (B) has a front lot line abutting a major street 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 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 crisis care shelters.

150.20.20 Use Requirements

150.20.20.1 General

(1) Crisis Care Shelter - Use Restriction
   A crisis care shelter must:
   (A) occupy the entire 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

150.20.30.1 General

(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 on the Policy Areas Overlay Map; or
   (ii) a street which intersects a major street 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 municipal shelters.

150.22.30 Lot Requirements

150.22.30.1 General

(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 on the Policy Areas Overlay Map; or
      (ii) a street which intersects a major street 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 rooming houses.

(2) Rooming House Permission
   A rooming house must be located in an area on the Rooming House Overlay Map, 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 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 in a building:
   (i) that was originally constructed as a detached house; and
   (ii) that has at least 23 square metres of interior 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 in a building:
   (i) that was 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 a 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 no 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 Building Code Act, 1992, S.O. 1992, c. 23, as amended, the Building Code, O. Reg. 350/06, as amended, or a City of Toronto by-law;

(C) if both halves of a building that was 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, excluding 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, excluding 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 that was 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 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) that was 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 entire building and may 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 parking space 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 seniors community houses.
150.30.20 Use Requirements

150.30.20.1 General

(1) Seniors Community House - Use Restriction
A seniors community house:
   (A) must occupy the entire 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 St. W., on the east by Dufferin St. and the rail lines, on the south by Lake Shore Blvd. W., and on the west by Roncesvalles Ave.

150.30.30 Lot Requirements

150.30.30.1 General

(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

150.30.40.1 General

(1) Seniors Community House - Age of Building
A building with 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 day nurseries.

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 be 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 that is or was 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 in combination with a dwelling unit that is the principal residence of the day nursery operator.

150.45.40 Building Requirements

150.45.40.1 General

(1) Day Nursery - Location in an Apartment Building

A day nursery in an apartment building must be only on 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 on the first storey; and
(B) its interior floor area may be no greater than 40% of the gross floor area of the first storey of the building.

150.45.50 Yards

150.45.50.1 General

(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 in a front yard or a side yard abutting a street; and
(B) in the Residential Apartment Zone category, may be no 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 public schools or private schools.

150.48.20 Use Requirements

150.48.20.1 General

(1) Adult Education School

An adult education school is permitted if:

(A) it is in a building used as a private school or public school or in a building that was originally constructed as a private school or public school; and
(B) the adult education school is funded by the Provincial or Federal government for:

(i) adult English or French as a second language courses delivered by district school boards;
(ii) literacy and basic skills programming delivered by community agencies or district school boards;
(iii) credit courses for adults delivered by district school boards;
(iv) continuing education programs, including general interest courses, delivered by district school boards;
(v) adult Aboriginal language programs delivered by district school boards; or
(vi) 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 that was originally constructed as a private school or a public school, if:

(A) the day nursery is on the first storey; and

(B) the interior floor area used by the day nursery is no greater than 40% of the interior floor area of the first storey of the building.

150.48.50 Yards

150.48.50.10 Landscaping

(1) **Public School, Private School - Landscaping**
A lot with a public school or a private school must have:

(A) a minimum 1.5 metre wide strip of soft landscaping, along all side lot lines and rear lot lines; and

(B) a minimum 3.0 metre wide strip of 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.

150.48.50.11 Landscaping Exemptions

(1) **Landscaping Exemptions - Existing Buildings, CR and CRE Zones**
The requirements of 150.48.50.10(1) do not apply:

(A) to a lawfully existing building; or

(B) to a building in the CR zone or CRE zone. [By-law: 1675-2013]

150.48.60 Ancillary Buildings and Structures

150.48.60.1 General

(1) **Portable Classroom Building**
A portable classroom building may be on a lot with a lawfully existing public school or private school if the 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 structures that are ancillary to a public school or private school must:

(A) comply with the required minimum building setbacks for the zone in which the lot is located; and

(B) despite (A) above, a portable classroom building must be set back from all lot lines a distance equal to at least half the height of the portable classroom building.

150.48.60.40 Height

(1) **Portable Classroom Buildings - Height**
A portable classroom building may be no more than 4.0 metres in height.
(2) Calculation of Height

The height of a portable classroom building is the distance between average grade and the highest part of the building, excluding permitted encroachments above the height limit for the zone in which the portable classroom building is located.

150.48.60.41 Height Exemptions

(1) Lawfully Existing Portable Classroom Building - Height

If the lawful height of a lawfully existing portable classroom building in the Residential Zone category, the Residential Apartment Zone category, the Commercial Zone Category, or the IE zone is greater than the permitted maximum height, that lawful height is the maximum height for that lawfully existing portable classroom building.

(2) Addition or Extension or to a Lawfully Existing Portable Classroom Building

Any addition or extension to a building referenced in regulation 150.48.60.41(1) must comply with the permitted maximum height or be authorized by a Section 45 Planning Act minor variance.

150.48.150 Waste

150.48.150.1 General

(1) Waste Storage

All waste and recyclable material must be stored in a wholly enclosed building, if a public school or a private school is constructed pursuant to a building permit issued more than three years after May 9, 2013.

150.50 Place of Worship

150.50.1 General

(1) Application of this Section

The regulations in Section 150.50 apply to places of worship.

150.50.20 Use Requirements

150.50.20.1 General

(1) Other Uses

The following uses are permitted if combined 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 interior floor area does not exceed 25 square metres;

(ii) it sells only religious goods; and

(iii) it is only accessible from inside the building; and

(C) dwelling unit if:

(i) there is 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, the Residential Apartment Zone category, the Commercial Residential Zone category, or the Commercial Residential Employment Zone category, or in the IE zone.
150.50.40 Building Requirements

150.50.40.10 Height

(1) Building Height - Architectural Elements
A minaret, steeple or similar architectural element on a place of worship building may exceed the permitted maximum height of the building by 40%, if the horizontal area of the minaret, steeple or similar architectural element is no more than 30.0 square metres.

150.50.40.11 Height Exemptions

(1) Lawfully Existing Place of Worship - Building Height - Architectural Elements
If a lawfully existing place of worship has a lawful architectural element such as a minaret, steeple or similar architectural element that exceeds the permitted maximum height for a building, the maximum height for that architectural element is its lawful height for that lawfully existing place of worship.

150.50.50 Yards

150.50.50.10 Landscaping

(1) Landscaping
Subject to regulation 5.10.50.10(1), if a lot has a place of worship, the lot must comply with the following:

(A) a minimum 1.5 metre wide strip of 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 that is not used for vehicle access must be landscaping and a minimum of 75% of the required front yard landscaping must be soft landscaping; and

(C) if the lot abuts a lot in the Residential Zone category or the Residential Apartment Zone category, there must be, along the entire length of the part of the lot line abutting that lot:

   (i) a 3.0 metre wide strip of soft landscaping; and

   (ii) a fence.

(2) Driveway Access to a Lot Crossing a Landscaping Area
A lot with a place of worship may have a driveway which crosses a required landscaping area, if the driveway is no more than 6.0 metres in width.

150.50.150 Waste

150.50.150.1 General

(1) Storage of Waste
All waste and recyclable material must be stored in a wholly enclosed building, if a place of worship is constructed pursuant to a building permit issued more than three years after May 9, 2013.
150.60 Medical Marihuana Production Facility

150.60.20 Use Requirements

150.60.20.1 General

(1) All Activities in an Enclosed Building
A marihuana production facility must be in a wholly enclosed building. [By-law: 0403-2014] [By-law: 1124-2018]

(2) Open Storage
Open storage is not permitted with a marihuana production facility. [By-law: 0403-2014] [By-law: 1124-2018]

150.60.40 Building Requirements

150.60.40.1 General

(1) Separation Distance
A lot with a marihuana production facility must be:

(A) at least 70 metres from a lot in a:
   (i) Residential Zone category;
   (ii) Residential Apartment Zone category;
   (iii) Commercial Zone category;
   (iv) Commercial Residential Zone category;
   (v) Commercial Residential Employment Zone category;
   (vi) Institutional Zone category; and
   (vii) Open Space Zone category; and

(B) at least 70 metres from a lot with a:
   (i) public school;
   (ii) private school;
   (iii) place of worship; and
   (iv) day nursery. [By-law: 0403-2014] [By-law: 1124-2018]

150.60.60 Ancillary Building

150.60.60.10 Location

(1) Location of Building or Structure Used for the Purpose of Site and Facility Security
A building or structure used for security purposes for a marihuana production facility:

(A) may be in the front yard; and

(B) is exempt from the required minimum front yard setbacks, side yard setbacks and rear yard setbacks. [By-law: 0403-2014] [By-law: 1124-2018]
150.60.90 Loading

150.60.90.10 Location

(1) Loading Space Location

Loading spaces for a marihuana production facility must be in a wholly enclosed building. [By-law: 0403-2014] [By-law: 1124-2018]

150.80 Drive Through Facility

150.80.1 General

(1) Application of this Section

The regulations in Section 150.80 apply to drive through facilities.

150.80.20 Use Requirements

150.80.20.1 General

(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 the Residential Zone category, the Residential Apartment Zone category, the Commercial Residential Employment Zone category, or the Commercial Residential Zone category other than a CR zone where the zone label has an ‘r’ value of 0.0.

(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 - Location Restriction for 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 the E zone.

(6) Stacking Aisle Location

Despite 150.80.20(5), if a building located on a corner lot has both a drive through facility and a vehicle fuel station, the drive through facility stacking aisle may be located in a side yard between the building and the street.

150.80.40 Building Requirements

150.80.40.1 General

(1) Drive Through Facility - Separation Distance

A drive through facility, including stacking aisles, must be at least 30.0 metres from any lot in the Residential Zone category, Residential Apartment Zone category, Commercial Residential Employment Zone Category, or the Commercial Residential Zone category other than a CR zone where the zone label has an ‘r’ value of 0.0.
150.90 Vehicle Dealership

150.90.1 General

(1) Application of this Section
The regulations in Section 150.90 apply to vehicle dealerships.

150.90.20 Use Requirements

150.90.20.1 General

(1) Vehicle Dealership - Major Street Location
A vehicle dealership must be on a lot with a front lot line that abuts a major street on the Policy Areas Overlay Map.

(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 must be at least 150 square metres;
(B) vehicles may not be displayed or stored in required parking spaces; and
(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 a lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category; and
   (iv) have a minimum 3.0 metre wide strip of soft landscaping along the lot line abutting a street.

150.92 Vehicle Fuel Station

150.92.1 General

(1) Application of this Section
The regulations in Section 150.92 apply to vehicle fuel stations.

150.92.20 Use Requirements

150.92.20.1 General

(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 the Residential Zone category or Residential Apartment Zone category may be no more than 140 square metres.

(2) 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.

(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

150.92.30.20 Lot Frontage

(1) Vehicle Fuel Station - Lot Frontage Requirements
A lot with a vehicle fuel station must have a minimum lot frontage of 30.0 metres.

150.92.30.21 Lot Frontage Exemptions

(1) Vehicle Fuel Station - Permitted Lot Frontage Requirements for Lawfully Existing Lots
If a lawfully existing vehicle fuel station is on a lot that has a lawful lot frontage which is less than the minimum lot frontage required in regulation 150.92.30.20 (1), that lawful lot frontage is the minimum lot frontage for that lawfully existing vehicle fuel station on that lot.

150.92.30.30 Lot Depth

(1) Vehicle Fuel Station - Lot Depth Requirements
A lot with a vehicle fuel station must have a minimum lot depth of 45.0 metres.

150.92.30.31 Lot Depth Exemptions

(1) Vehicle Fuel Station - Permitted Depth Requirements for Lawfully Existing Lots
If a lawfully existing vehicle fuel station is on a lot that has a lawful lot depth which is less than the minimum lot depth required in regulation 150.92.30.30(1), that lawful lot depth is the minimum lot depth for that lawfully existing vehicle fuel station on that lot.

150.92.40 Building Requirements

150.92.40.70 Setbacks

(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 a side lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category;
   (iii) 7.5 metres from a side lot line that 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 the Residential Zone category or Residential Apartment Zone category; or
(iii) the minimum **rear yard setback** required for the zone in which it is located.

150.92.40.71 Setbacks Exemptions

(1) **Vehicle Fuel Station - Permitted Building Setbacks for Lawfully Existing Buildings**

If a **lawfully existing vehicle fuel station building** or **structure** has a **lawful building setback** that is less than the required minimum **building setback** in regulation 150.92.40.70(1), that **lawful building setback** is the minimum **building setback** for that **lawfully existing vehicle fuel station building** or **structure** on that **lot**.

150.92.50 Yards

150.92.50.10 Landscaping

(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 that portion of a **lot line** that abuts a **street** and is between the **street** and the portion of the **lot** used for a **vehicle fuel station**, 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 that portion of a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category, and is adjacent to the **vehicle fuel station**. [By-law: PL130592 Nov21_2018]

150.92.60 Ancillary Buildings and Structures

150.92.60.20 Setbacks

(1) **Vehicle Fuel Station - Fuel Pump Island and Canopy Setbacks**

For a **vehicle fuel station**:

(A) Despite regulation 150.92.40.70(1), the edge of a canopy that is above the fuel pumps may be no closer than 5.0 metres from a **lot line** abutting a **street**; and

(B) Despite regulation 150.92.40.70(1), a fuel pump island may be no closer than:

(i) 7.5 metres from a **lot line** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category; and

(ii) 6.0 metres from any other **lot line**.

150.92.60.21 Setbacks Exemptions

(1) **Vehicle Fuel Station - Permitted Minimum Distance for Lawfully Existing Canopy**

If a **lawfully existing vehicle fuel station** has a canopy above the fuel pumps that is **lawfully** closer to a **lot line** abutting a **street** than is permitted in regulation 150.92.60.20(1)(A), that **lawful** distance from a **lot line** abutting a **street** is the minimum distance required for a canopy above the fuel pumps for that **lawfully existing vehicle fuel station**.

(2) **Vehicle Fuel Station - Permitted Minimum Distance for Lawfully Existing Fuel Pump Island**

If **lawfully existing vehicle fuel station** has a fuel pump island that is **lawfully** closer to a **lot line** than is permitted in regulation 150.92.60.20(1)(B), that **lawful** distance is the minimum distance required for a fuel pump island from that **lot line** on the **lot** for that **lawfully existing vehicle fuel station**.
150.92.60.40 Height

(1) 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 the ground directly below it.

150.92.60.41 Height Exemptions

(1) Vehicle Fuel Station - Permitted Height for Lawfully Existing Canopy
If a lawfully existing vehicle fuel station has a canopy above the fuel pumps that has a lawful height greater than the permitted maximum height in regulation 150.92.60.40(1), that lawful height is the maximum height for a canopy for that lawfully existing vehicle fuel station.

150.92.60.70 Lot Coverage

(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.

150.92.100 Access to Lot

150.92.100.1 General

(1) Vehicle Fuel Station - Vehicle Access and Required Landscaping
Vehicle access to a lot with a vehicle fuel station may cross required landscaping.

(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 and each vehicle access must have a width of at least 6.0 metres and no more than 11.0 metres, measured along the lot line abutting a street.

150.92.100.30 Separation

(1) Vehicle Fuel Station - Vehicle Access - Separation Distances
Vehicle access to a lot with a vehicle fuel station must be at least:
(A) 7.5 metres from any other vehicle access on the lot; and
(B) 3.0 metres from any side lot line.

(2) Vehicle Fuel Station - Vehicle Access for Corner Lots
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.

150.94 Vehicle Service Shop

150.94.1 General

(1) Application of this Section
The regulations in Section 150.94 apply to vehicle service shops.
150.94.20 Use Requirements

150.94.20.1 General

(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

150.94.30.1 General

(1) Vehicle Service Shop - Vehicle Access- Permitted Width
Vehicle access to a lot with a vehicle service shop may have a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the lot line abutting a street.

(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 side lot line.

(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

150.94.40.1 General

(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 a side lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category;
   (iii) 7.5 metres from a side lot line that 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 the 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

150.94.50.1 General

(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 the 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 vehicle washing establishments with an interior floor area greater than 38 square metres.

150.96.20 Use Requirements

150.96.20.1 General

(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.

(3) 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

150.96.30.1 General

(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; 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 may have a minimum width of 6.0 metres and a maximum width of 11.0 metres, measured along the lot line abutting a street.

(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 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.

(5) Vehicle Washing Establishment - Vehicle Access for Corner Lots
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

150.96.40.1 General

(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 a side lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category;
   (iii) 7.5 metres from a side lot line that 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 the 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 vehicle 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 eating establishments.

150.100.20 Use Requirements

150.100.20.1 General

(1) 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

150.100.30.1 General

(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 the 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 the 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 adult entertainment uses.

150.110.30 Lot Requirements

150.110.30.1 General

(1) Adult Entertainment - Separation Distance
A lot with an adult entertainment use must be:

(A) at least 100 metres from a lot in the Residential Zone category or Residential Apartment Zone category;
(B) at least 500 metres from a lot with a public school, private school, or place of worship, or a lot in an IS zone or IPW zone; and
(C) at least 500 metres from a lot with an adult entertainment use or a body rub service.

150.120 Funeral Home

150.120.1 General

(1) Application of this Section
The regulations in Section 150.120 apply to funeral homes.

150.120.30 Lot Requirements

150.120.30.1 General

(1) Funeral Home - Location
A funeral home must be on a lot that abuts a major street on the Policy Areas Overlay Map.
150.120.50 Yards

150.120.50.1 General

(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 the Residential Zone category or Residential Apartment Zone category.

150.120.80 Parking

150.120.80.1 General

(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 the 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 firing ranges.

150.130.20 Use Requirements

150.130.20.1 General

(1) Firing Range Interpretation
A firing range or shooting range is not included in any other defined term in this By-law.

(2) Firing Range Use
A firing range or shooting range for the discharge of a firearm must be:
(A) 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 and drive aisles.

(2) Requirement to Provide Parking Spaces
Parking spaces must be provided collectively 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 vehicle 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 vehicle access, the minimum width for that drive aisle is 5.5 metres for each aisle; [By-law: 0559-2014 (OMB PL130592)]

(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 vehicle access, the minimum width for that drive aisle is 4.0 metres for each aisle. [By-law: 0559-2014 (OMB PL130592)]

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 on the Policy Area Overlay Map 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) A parking space must have the following minimum dimensions:

(i) length of 5.6 metres;
(ii) width of 2.6 metres;
(iii) vertical clearance of 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;

(B) For a parking space accessed by a drive aisle with 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 if one or both sides of the parking space is obstructed according to (D) below;

(C) The minimum dimensions of a parking space that is adjacent and parallel to a drive aisle from which vehicle 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) 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
The maximum dimensions for a parking space are:

(A) length of 6.0 metres
(B) width of 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, excluding a wheel stop with a height of less than 18.0 centimetres.

(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:

(A) length of 5.6 metres;
(B) width of 2.6 metres;
(C) vertical clearance of 2.0 metres.

(7) Calculation of Required Parking Space - Vacant Building Space
The parking space requirement for an area of a building that is vacant 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 space rate 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 200.5.10.1 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 with a fraction, the number is rounded down to the nearest whole number, but there may 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) Parking Space Calculation - Gross Floor Area Exclusion
The interior floor area of that portion of a building 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.

(12) Vehicle Access to Building - Non-residential and Apartment Parking Area
If an apartment building, mixed use building or a building with non-residential uses, has an area for parking 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;
(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; and
(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 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, excluding a gate, moveable barrier or similar security feature.

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 200.5.10.1 - Parking Space Rates And Parking Space Occupancy below:

Table 200.5.10.1

PARKING SPACE RATES AND PARKING SPACE OCCUPANCY

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

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Parking Rate</th>
<th>Parking Occupancy Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>AM</td>
</tr>
<tr>
<td>Adult Education School</td>
<td>Parking spaces must be provided:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate of 1.0 for each 100 square metres of gross floor area; (B) in Policy Area 4 (PA4) at a minimum rate of 1.5 for each 100 square metres of gross floor area; and (C) in all other areas of the City, at a minimum rate of 2.0 for each 100 square metres of gross floor area.</td>
<td>100%</td>
</tr>
<tr>
<td>Adult Entertainment</td>
<td>Parking spaces must be provided:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 3.0 for each 100 square metres of gross floor area; (B) in Policy Area 2 (PA2) at a minimum rate of 4.5 for each 100 square metres of gross floor area; (C) in Policy Area 3 (PA3) at a minimum rate of 5.5 for each 100 square metres of gross floor area; (D) in Policy Area 4 (PA4) at a minimum rate of 5.5 for each 100 square metres of gross floor area; and (E) in all other areas of the City, at a minimum rate of 7.0 for each 100 square metres of gross floor area.</td>
<td>25%</td>
</tr>
<tr>
<td>Alternative Housing</td>
<td>Parking spaces must be provided at a minimum rate of 0.1 for each dwelling unit.</td>
<td>100%</td>
</tr>
<tr>
<td>Ambulance Depot</td>
<td>Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area.</td>
<td>100%</td>
</tr>
<tr>
<td>Amusement Arcade</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
<td>25%</td>
</tr>
<tr>
<td>Animal Shelter</td>
<td>Parking spaces must be provided:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 0.4 for each 100 square metres of gross floor area and at a maximum rate of 0.8 for each 100 square metres of gross floor area; and</td>
<td>100%</td>
</tr>
<tr>
<td>Use Description</td>
<td>Parking Spaces Requirements</td>
<td>Area Requirements</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>---------------------------------------------------------------------------------------------</td>
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<tr>
<td>Artist Studio</td>
<td>Parking spaces must be provided at the same rate as a retail store</td>
<td>25%</td>
</tr>
<tr>
<td>Art Gallery</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4)</td>
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<tr>
<td></td>
<td>at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of</td>
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<td></td>
<td>gross floor area.</td>
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<tr>
<td>Assisted Housing</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) for each dwelling unit at a minimum rate of:</td>
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<tr>
<td></td>
<td>(i) 0.12 for a bachelor dwelling unit up to 45 square metres and 0.5 for each bachelor</td>
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<td></td>
<td>dwelling unit greater than 45 square metres;</td>
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<td></td>
<td>(ii) 0.18 for a one bedroom dwelling unit;</td>
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<td></td>
<td>(iii) 0.3 for a two bedroom dwelling unit;</td>
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<td></td>
<td>(iv) 0.5 for a three or more bedroom dwelling unit;</td>
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<td></td>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4), for each dwelling</td>
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<tr>
<td></td>
<td>unit at a minimum rate of:</td>
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<tr>
<td></td>
<td>(i) 0.14 for a bachelor dwelling unit up to 45 square metres and 0.5 for each bachelor</td>
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<td>dwelling unit greater than 45 square metres;</td>
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<td></td>
<td>(ii) 0.24 for a one bedroom dwelling unit;</td>
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<td></td>
<td>(iii) 0.4 for a two bedroom dwelling unit;</td>
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<td>(iv) 0.75 for a three or more bedroom dwelling unit;</td>
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<td></td>
<td>(C) in all other areas of the City for each dwelling unit at a minimum rate of:</td>
<td></td>
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<tr>
<td></td>
<td>(i) 0.16 for a bachelor dwelling unit up to 45 square metres and 0.5 for each bachelor</td>
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<td></td>
<td>dwelling unit greater than 45 square metres;</td>
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<td></td>
<td>(ii) 0.3 for a one bedroom dwelling unit;</td>
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<td></td>
<td>(iii) 0.5 for a two bedroom dwelling unit;</td>
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<td></td>
<td>(iv) 0.9 for a three or more bedroom dwelling unit.</td>
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<tr>
<td>Billiard Hall, Pool Hall</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 2.5 for each 100 square metres of gross</td>
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<td></td>
<td>floor area;</td>
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<td></td>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate</td>
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<td></td>
<td>of 3.5 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(C) in all other areas of the City at a minimum rate of 4.0 for each 100 square metres of</td>
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<td></td>
<td>gross floor area.</td>
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<tr>
<td>Bowling Alley</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 2.5 for each 100 square metres of gross</td>
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<td></td>
<td>floor area;</td>
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<td></td>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate</td>
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<td></td>
<td>of 3.5 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(C) in all other areas of the City at a minimum rate of 4.0 for each 100 square metres of</td>
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<td></td>
<td>gross floor area.</td>
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<tr>
<td>Bus Station</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate</td>
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<td>of 0.1 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(B) in all other areas of the City at a minimum rate of 0.2 for each 100 square metres of</td>
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<td></td>
<td>gross floor area.</td>
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<tr>
<td>Cabaret</td>
<td>Parking spaces must be provided at the same rate as an eating establishment.</td>
<td>10%</td>
</tr>
<tr>
<td>Cemetery</td>
<td>Parking spaces must be provided at a minimum rate of 2.0 for each 100 square metres of</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>gross floor area.</td>
<td></td>
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<tr>
<td>Clinic (medical)</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3):</td>
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<td></td>
<td>(i) at a minimum rate of 0.4 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(ii) at a maximum rate of 0.8 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(B) in Policy Area 4 (PA4):</td>
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<tr>
<td></td>
<td>(i) at a minimum rate of 0.6 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(ii) at a maximum rate of 1.0 for each 100 square metres of gross floor area; and</td>
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<td></td>
<td>(C) in all other areas of the City, at a minimum rate of 1.0 for each 100 square metres of</td>
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<td></td>
<td>gross floor area.</td>
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<tr>
<td>Club</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
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<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), at a minimum rate of 3.0 for each 100 square metres of</td>
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<td></td>
<td>gross floor area;</td>
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</tr>
<tr>
<td>Class</td>
<td>Parking spaces</td>
<td>Code</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>Community Centre</td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 1.0 for each 100 square metres of gross floor area.</td>
<td>25%</td>
</tr>
<tr>
<td>Contractor's Establishment</td>
<td>Parking spaces must be provided at a minimum rate of 0.5 for each 100 square metres of gross floor area.</td>
<td>100%</td>
</tr>
<tr>
<td>Court of Law</td>
<td>Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 1.0 for each 100 square metres of gross floor area.</td>
<td>100%</td>
</tr>
<tr>
<td>Crisis Care Shelter</td>
<td>Parking spaces must be provided: (A) at a minimum rate of 0.22 for each 100 square metres of gross floor area; and (B) at a maximum rate of 1.5 for each 100 square metres of gross floor area.</td>
<td>100%</td>
</tr>
<tr>
<td>Day Nursery</td>
<td>Parking spaces must be provided: (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at a minimum rate of 0.4 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 0.8 for each 100 square metres of gross floor area.</td>
<td>100%</td>
</tr>
<tr>
<td>Dwelling Unit in a Detached House, Semi-detached House, Townhouse, Duplex, Triplex or Fourplex</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 for each dwelling unit.</td>
<td>100%</td>
</tr>
<tr>
<td>Dwelling Unit in a Multiple Dwelling Unit Buildings - Resident Parking Space</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 for each dwelling unit.</td>
<td>100%</td>
</tr>
<tr>
<td>Dwelling Unit in a Multiple Dwelling Unit Buildings - Visitor Parking Space</td>
<td>Parking spaces must be provided at a minimum rate of 0.2 for each dwelling unit.</td>
<td>100%</td>
</tr>
<tr>
<td>Dwelling unit in an Apartment Building (Tenant requirement)</td>
<td>For a dwelling unit in an apartment building, parking spaces must be provided: (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 (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:</td>
<td>100%</td>
</tr>
</tbody>
</table>
(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  

(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  

(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.  

For a dwelling unit in an Apartment Building, parking spaces for visitors must be provided:  

(A) in Policy Area 1 (PA1) at a minimum rate of 0.1 for each dwelling unit;  
(B) in Policy Area 2 (PA2) at a minimum rate of 0.1 for each dwelling unit;  
(C) in Policy Area 3 (PA3) at a minimum rate of 0.1 for each dwelling unit;  
(D) in Policy Area 4 (PA4) at a minimum rate of 0.15 for each dwelling unit; and  
(E) in all other areas of the City at a minimum rate of 0.2 for each dwelling unit.  

For a dwelling unit in an Apartment Building, parking spaces are to be provided at the same rate as a Dwelling unit in an Apartment Building. (Tenant Requirement)  

For a dwelling unit in a Mixed Use Building, parking spaces for visitors must be provided:  

(A) in Policy Area 1 (PA1) at a minimum rate of 0.1 for each dwelling unit;  
(B) in Policy Area 2 (PA2) at a minimum rate of 0.1 for each dwelling unit;  
(C) in Policy Area 3 (PA3) at a minimum rate of 0.1 for each dwelling unit;  
(D) in Policy Area 4 (PA4) at a minimum rate of 0.15 for each dwelling unit; and  
(E) in all other areas of the City at a minimum rate of 0.2 for each dwelling unit.  

For a dwelling unit in a Mixed Use Building, parking spaces must be provided:  

(A) in Policy 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 Policy 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 Policy 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 eating establishments in a building is less than 200 square metres no parking space is required;  
(ii) where the gross floor area used for eating establishments 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 eating establishments 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.  

Parking spaces must be provided:  

(A) in Policy Area 1 (PA1) and Policy Area 2 (PA2), at a minimum rate of 0.5 for each 100 square metres of gross floor area.
<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Entertainment Place of Assembly</strong></td>
<td></td>
</tr>
<tr>
<td>Parking spaces</td>
<td>5.0, 8.0, 10.0</td>
</tr>
<tr>
<td>(A) in Policy Area 1 (PA1)</td>
<td></td>
</tr>
<tr>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3), and Policy Area 4 (PA4)</td>
<td></td>
</tr>
<tr>
<td>(C) in Policy Area 3 (PA3)</td>
<td></td>
</tr>
<tr>
<td>(D) in all other areas of the City</td>
<td></td>
</tr>
</tbody>
</table>

| **Financial Institution**          |              |
| Parking spaces                    | 0.20, 0.35, 0.40 |
| (A) in Policy Area 1 (PA1)        |              |
| (B) in Policy Area 2 (PA2), Policy Area 3 (PA3), and Policy Area 4 (PA4) | |
| (C) in Policy Area 3 (PA3)        |              |
| (D) in all other areas of the City |              |

| **Funeral Home**                  |              |
| Parking spaces                    | 0.30, 0.40, 0.60 |
| (A) in Policy Area 1 (PA1) and Policy Area 2 (PA2) | |
| (B) in Policy Area 3 (PA3)        |              |
| (C) in Policy Area 4 (PA4)        |              |

| **Gaming Establishment**          |              |
| Parking spaces                    | 2.50          |

| **Golf Course**                  |              |
| Parking spaces required          | 24, 3.5       |
| (A) if the gross floor area is 200 square metres or less, no parking space is required. | |

| **Grocery Store**                |              |
| Parking spaces used              | 1.0, 4.5     |
| (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), and Policy Area 4 (PA4) | |
| (B) in all other areas of the City at a minimum rate of 2.5 for each 100 square metres of gross floor area. | |

| **Group Home**                   |              |
| Parking spaces required          | 2.0          |

| **Hospice Care Home**            |              |
| Parking spaces required          | 0.30          |

| **Hospital**                     |              |
| Parking spaces required          | 0.40, 0.80   |
| (A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), and Policy Area 4 (PA4) | |

<p>| <strong>Hotel</strong>                        |              |
| Parking spaces required          | 80%          |
| 75%                              |
| 100%                             |</p>
<table>
<thead>
<tr>
<th>Category</th>
<th>Spaces Provided</th>
<th>PA1</th>
<th>PA2</th>
<th>PA3</th>
<th>PA4</th>
<th>Other Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Industrial Sales and Service</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
<td>100%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industrial Skills Training</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(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 3.0 for each 100 square metres of gross floor area.</td>
<td>100%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kennel</td>
<td>Parking spaces must be provided at a minimum of 1 for each 100 square metres of pen area for animals.</td>
<td>100%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laboratory</td>
<td>Parking spaces must be provided at the same rate as office.</td>
<td>100%</td>
<td>0%</td>
<td>60%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Library</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area.</td>
<td>100%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Manufacturing Uses</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 1.0 for each 100 square metres of gross floor area.</td>
<td>100%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical Office</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>50%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1) at:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(i) a minimum rate of 0.3 for each 100 square metres of gross floor area; and (ii) a maximum rate of 3.0 for each 100 square metres of gross floor area; and (B) in Policy Area 2 (PA2) at:</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>(i) a minimum rate of 1.0 for each 100 square metres of gross floor area; and (ii) a maximum rate of 3.5 for each 100 square metres of gross floor area; and (C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) at:</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td>(i) a minimum rate of 1.5 for each 100 square metres of gross floor area; and (ii) a maximum rate of 6.0 for each 100 square metres of gross floor area; and (D) in all other areas of the City, at a minimum rate of 3.0 for each 100 square metres of gross floor area.</td>
<td></td>
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</tr>
<tr>
<td>Motel</td>
<td>Parking spaces must be provided:</td>
<td>80%</td>
<td>75%</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4):</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>(i) a minimum rate of 0.2 per 100 square metres of gross floor area; and (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.</td>
<td></td>
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</tr>
<tr>
<td>Municipal Shelter,</td>
<td>Parking spaces must be provided:</td>
<td>100%</td>
<td>100%</td>
<td>0%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) at a minimum rate of 0.22 for each 100 square metres of gross floor area; and (B) at a maximum rate of 1.5 for each 100 square metres of gross floor area.</td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Museum</td>
<td>Parking spaces must be provided:</td>
<td>25%</td>
<td>100%</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3), Policy Area 4 (PA4) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and (B) in all other areas of the City at a minimum rate of 1.3 for each 100 square metres of gross floor area.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nightclub</td>
<td>Parking spaces must be provided at the minimum rate of:</td>
<td>20%</td>
<td>50%</td>
<td>100%</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(A) 3.0 for each 100 square metres for gross floor area in Policy Area 1 (PA1); (B) 4.5 for each 100 square metres for gross floor area in Policy Area 2 (PA2);</td>
<td></td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>
### Nurse Home
Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room.

<table>
<thead>
<tr>
<th>Rate</th>
<th>Policy Area 1 (PA1)</th>
<th>Policy Area 2 (PA2)</th>
<th>Policy Area 3 (PA3)</th>
<th>Policy Area 4 (PA4)</th>
<th>City</th>
</tr>
</thead>
<tbody>
<tr>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Office (excluding Medical office)
Parking spaces must be provided:

- (A) in Policy Area 1 (PA1) at:
  - (i) a minimum rate of 0.35 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 Policy Area 2 (PA2) at:
  - (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; and
  - (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) at:
  - (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; and
  - (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.

### Park
Parking spaces must be provided:

- (A) for a building with 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; and

- (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.

### Performing Arts Studio
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) at:
  - (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.

### Personal Service Shop
Parking spaces must be provided if the gross floor area used for personal service shops is greater than 200 square metres:

- (A) in Policy Area 1 (PA1) at:
  - (i) minimum rate of 1.0 for each 100 square metres of gross floor area; and
  - (ii) 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) at:
  - (i) minimum rate of 1.0 for each 100 square metres of gross floor area; and
  - (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.

### Pet Services
Parking spaces must be provided at the same rate as a retail store.

### Place of Assembly
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.

### 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 and:
  - (i) if it is in Policy Area 1 (PA1) at:
    - (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 it is in Policy Area 2 (PA2) at:
    - (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 it is in Policy Area 3 (PA3) or Policy Area 4 (PA4) at:
    - (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

**Note:** The rates provided are subject to the conditions and modifications set forth in the Zoning By-law for the City of Toronto. The specific requirements for each land use category may vary based on the location and zoning classification.
(iv) at a minimum rate of 23.0 for each 100 square metres of worship area if it is located in any other area of the City; and
(B) if there is no seating or variable seating in a Place of Worship and:
(i) if it is in Policy Area 1 (PA1) at:
(a) a minimum rate of 11.0 for each 100 square metres of worship area; and
(b) a maximum rate of 22.0 for each 100 square metres of worship area; and
(ii) if it is in Policy Area 2 (PA2) at:
(a) a minimum rate of 18.0 for each 100 square metres of worship area; and
(b) a maximum rate of 27.0 for each 100 square metres of worship area; and
(iii) if it is in Policy Area 3 and Policy Area 4 (PA3) at:
(a) a minimum rate of 22.0 for each 100 square metres of worship area; and
(b) a maximum rate of 33.0 for each 100 square metres of worship area; and
(iv) at a minimum rate of 27.0 for each 100 square metres of worship area if it is located in any other area of the City, or
(C) the required minimum parking rate for all other permitted uses on the lot.

<table>
<thead>
<tr>
<th>Parking Type</th>
<th>Minimum Rate</th>
<th>Maximum Rate</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police Station</td>
<td>0.2</td>
<td></td>
<td>Parking spaces must be provided at a minimum rate of 0.2 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Post Secondary School</td>
<td>0.1</td>
<td>0.5</td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3), 0.1 for each 100 square metres of 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.</td>
</tr>
<tr>
<td>Private School</td>
<td>0.15</td>
<td>0.3</td>
<td>(A) in Policy Area 1 (PA1) at: (i) a minimum rate of 0.15 for each 100 square metres of gross floor area; and (ii) 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) at: (i) a minimum rate of 0.5 for each 100 square metres of gross floor area; and (ii) a maximum rate of 1.0 for each 100 square metres of gross floor area; and (C) in Policy Area 4 (PA4) at: (i) 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.</td>
</tr>
<tr>
<td>Production Studio</td>
<td>0.35</td>
<td>0.8</td>
<td>(A) in Policy Area 1 (PA1) at: (i) a minimum rate of 0.8 for each 100 square metres of gross floor area; and (ii) a maximum rate of 0.3 for each 100 square metres of gross floor area; and (B) in Policy Area 2 (PA2) at: (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; and (ii) a maximum rate of 1.4 for each 100 square metres of gross floor area; and (C) in Policy Area 3 (PA3) and Policy Area 4 (PA4) at: (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; and (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.</td>
</tr>
<tr>
<td>Public School</td>
<td>0.15</td>
<td>0.3</td>
<td>(A) in Policy Area 1 (PA1) at: (i) a minimum rate of 0.15 for each 100 square metres of gross floor area; and (ii) 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) at: (i) a minimum rate of 0.5 for each 100 square metres of gross floor area; and (ii) a maximum rate of 1.0 for each 100 square metres of gross floor area; and (C) in Policy Area 4 (PA4) at: (i) a minimum rate of 1.0 for each 100 square metres of gross floor area; and (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.</td>
</tr>
<tr>
<td>Railway Service and Repair Yard; Railway Station</td>
<td>0.1</td>
<td>0.5</td>
<td>Parking spaces must be provided at a minimum rate of 0.1 per 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Recreation Use</td>
<td>0.25</td>
<td>1.0</td>
<td>Parking spaces must be provided:</td>
</tr>
</tbody>
</table>

292
<table>
<thead>
<tr>
<th>Purpose</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Religious Education Use</td>
<td>Parking spaces must be provided:</td>
</tr>
<tr>
<td>(A) in Policy Area 1 (PA1):</td>
<td>(i) at a minimum rate of 0.15 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td>(B) in Policy Area 2 (PA2) and Policy Area 3 (PA3):</td>
<td>(i) at a minimum rate of 0.5 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td>(C) in Policy Area 4 (PA4):</td>
<td>(i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td>(D) in all other areas of the City:</td>
<td>(i) at a minimum rate of 1.5 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Religious Residence</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 per dwelling unit.</td>
</tr>
<tr>
<td>Residential Care Home</td>
<td>Parking spaces must be provided:</td>
</tr>
<tr>
<td>(A) at a minimum rate of 0.22 for each 100 square metres of gross floor area; and</td>
<td></td>
</tr>
<tr>
<td>(B) at a maximum rate of 1.5 for each 100 square metres of gross floor area.</td>
<td></td>
</tr>
<tr>
<td>Respite Care Facility</td>
<td>Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room.</td>
</tr>
<tr>
<td>Retail Store</td>
<td>Parking spaces must be provided if the gross floor area on a lot is more than 200 square metres:</td>
</tr>
<tr>
<td>(A) in Policy Area 1 (PA1) at a:</td>
<td>(i) minimum of 1.0 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at:</td>
<td>(i) minimum of 1.0 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td>(C) in all other areas of the City:</td>
<td>(i) if the gross floor area 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; and</td>
</tr>
<tr>
<td>(D) if the gross floor area on a lot is more than 200 square metres, at a minimum rate of 6.0 for each 100 square metres of gross floor area; and</td>
<td></td>
</tr>
<tr>
<td>Retail Service</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
</tr>
<tr>
<td>Retirement Home</td>
<td>Parking spaces must be provided at a rate of 0.3 for each dwelling unit and bed-sitting room.</td>
</tr>
<tr>
<td>Secondary Suite</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 per secondary suite.</td>
</tr>
<tr>
<td>Self Storage Warehouse</td>
<td>(See Warehouse, self storage)</td>
</tr>
<tr>
<td>Seniors Community House</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 per building.</td>
</tr>
<tr>
<td>Service Shop</td>
<td>Parking spaces must be provided if the gross floor area is more than 200 square metres:</td>
</tr>
<tr>
<td>(A) in Policy Area 1 (PA1) at a:</td>
<td>(i) minimum of 1.0 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td>(B) in Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4) at:</td>
<td>(i) minimum of 1.0 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td>(C) in all other areas of the City:</td>
<td>(i) at a minimum rate of 1.5 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td>(D) if the gross floor area is more than 200 square metres, at a minimum rate of 4.0 for each 100 square metres of gross floor area; and</td>
<td></td>
</tr>
<tr>
<td>Software Development and Processing</td>
<td>Parking spaces must be provided at the same rate as an office.</td>
</tr>
<tr>
<td>Use</td>
<td>Parking spaces** must be provided:</td>
</tr>
<tr>
<td>------------------------------</td>
<td>------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Vehicle Dealership</td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2), Policy Area 3 (PA3) and Policy Area 4 (PA4)</td>
</tr>
<tr>
<td></td>
<td>(i) at a minimum rate of 1.0 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td></td>
<td>(ii) at a maximum rate of 1.5 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td></td>
<td>(B) in all other areas of the City at a minimum rate of 3.0 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Vehicle Depot</td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate of 0.1 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td></td>
<td>(B) in all other areas of the City at a minimum rate of 0.2 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Vehicle Fuel Station</td>
<td>(A) in Policy Area 1 (PA1), Policy Area 2 (PA2) and Policy Area 3 (PA3) at a minimum rate of 2.5 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td></td>
<td>(B) in Policy Area 4 (PA4) at a minimum rate of 3.0 for each 100 square metres of gross floor area; and</td>
</tr>
<tr>
<td></td>
<td>(C) in all other areas of the City at a minimum rate of 3.5 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Vehicle Service Shop</td>
<td>Parking spaces must be provided at a minimum rate of 3.5 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Vehicle Repair Shop</td>
<td>Parking spaces must be provided at a minimum rate of 3.5 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Veterinary Hospital</td>
<td>(A) in Policy Area 1 (PA1) at a minimum rate of 0.4 for each 100 square metres of gross floor area and at a maximum rate of 0.8 for each 100 square metres of gross floor area;</td>
</tr>
<tr>
<td></td>
<td>(B) in the rest of the City at a minimum rate of 1 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Visitation Centre</td>
<td>Parking spaces must be provided at a minimum rate of 2.0 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Warehouse</td>
<td>Parking spaces must be provided at a minimum rate of 1.0 for each 100 square metres of gross floor area up to 2750 square metres; plus 0.5 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Warehouse, Self Storage</td>
<td>Parking spaces must be provided at a minimum rate of 0.6 for each 100 square metres of gross floor area.</td>
</tr>
<tr>
<td>Wholesaling Use</td>
<td>Parking spaces must be provided at the same rate as a retail store.</td>
</tr>
</tbody>
</table>

(2) **Provision of Parking Spaces**

Parking spaces provided for each use may not be:

(A) less than the required minimum; or

(B) greater than the permitted maximum.

(3) **Parking Space Rate Ancillary Uses**

A use that is ancillary 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 Table 200.5.10.1 of this By-law, parking spaces may be provided for that use if:

(A) the use is not listed on Table 200.5.10.1; [ By-law: 1429-2017 ]

(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 required minimum for all uses on the lot by Table 200.5.10.1; and

(ii) greater than the permitted maximum or all uses on the lot by Table 200.5.10.1.

(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 200.5.10.1, 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 200.5.10.1 has a minimum and maximum number of parking spaces for a use, the number of parking spaces for that use listed on the Table may not:

(A) be less than the required minimum; and

(B) exceed the permitted maximum.

(8) Multiple Dwelling Unit Buildings Parking Rates

For 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". 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.

(9) Assisted Housing Parking Rates

For the purposes of calculating parking space requirements, "assisted housing" means a dwelling unit operated by a non-profit organization or private sector organization in cooperation with the City of Toronto.

(10) Alternative Housing Parking Rates

For the purpose of calculating parking space requirements, "alternative housing" means a dwelling unit or bedsitting 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 a private sector organization in cooperation with the City of Toronto.

(11) Place of Worship Parking Rates

For the purpose of calculating parking space requirements for a place of worship, the "worship area" means 90% of the area in a place of worship used for the expression of worship through religious services, rites or ceremonies.

(12) 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.

200.5.10.11 Parking Rate Exemptions

(1) Parking Space Requirements for a Lawfully Existing Building

If the lawful number of parking spaces for a lawfully existing building is less than the required number of parking spaces, the lawful number of parking spaces is the minimum number of parking spaces for that lawfully existing building.

(2) Parking Space Requirement - Addition or Extension of a Lawfully Existing Building

Any addition or extension to a lawfully existing building referred to in regulation 200.5.10.11(1) must provide any additional parking space required by Clause 200.5.10.1 or be authorized by a Section 45 Planning Act minor variance.

(3) Parking Space Requirement - Change of Use in a Lawfully Existing Building

If a lawfully existing building referred to in regulation 200.5.10.11(1) changes use:

(A) the lawfully existing number of parking spaces may not be reduced; and

(B) any additional required parking spaces required by Clause 200.5.10.1 must be provided or be authorized by a Section 45 Planning Act minor variance.
(4) Lawfully Existing 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 be provided on another lot for that lawfully existing building, if those lawful parking spaces are not reduced; and

(B) any addition or expansion to that building must comply with the parking requirements or be authorized by a Section 45 Planning Act minor variance.

200.5.200 Parking Exemptions

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 storey 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 storey 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 storey 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 storey 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 storey is greater than the total interior floor area of all office uses on the first storey, 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 storey is greater than the total interior floor area of all non-office uses on the first storey, then the parking space requirement for an office use applies to the common areas and walkways.

(3) 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 constructed 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 space requirement; and

(B) the number of parking spaces existing on the lot on March 1, 1994 may not be reduced for a non-residential use with a lower parking space requirement.

(4) Policy Area 1 Parking Space Exemption

In a CR zone in Policy Area 1, no parking spaces are required for the following uses, if the interior floor area of all these uses, does not exceed 1.0 times 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
200.5.200.50 Commercial Residential Employment Zone Category

(1) Parking Exception for change of Non-residential use

In a CRE zone in Policy Area 1 (PA1), if a change of non-residential use is proposed for a lawfully existing building or to a building that 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 are not required for a non-residential use; and
(B) the number of lawful parking spaces on the lot may 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 that provide vehicle 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

A visitor parking space 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 3.4 metres; and
(C) vertical clearance of 2.1 metres.

(2) Accessible Parking Space Dimensions - Parallel Parking Space

The minimum dimensions of an accessible parking space that is adjacent and parallel to a drive aisle from which vehicle access is provided is:

(A) length of 7.1 metres;
(B) width of 2.6 metres; and
(C) vertical clearance of 2.1 metres; [ By-law: 579-2017 Under Appeal ]

(3) barrier Free Aisle

The entire length of an accessible parking space must be adjacent to a 1.5 metre wide accessible barrier free aisle or path as shown on Diagram 1 and Diagram 2 of By-law 579-2017; [ By-law: 579-2017 Under Appeal ]
(4) **Location of Accessible Parking Spaces**

Accessible parking spaces must be the parking spaces closest to a barrier free:

(A) entrance to a building;
(B) passenger elevator that provides access to the first storey of the building; and
(C) and shortest route from the required entrances in (A) and (B). [By-law: 579-2017 Under Appeal]

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200.15.15 Interpretation

(1) **Location of Accessible Parking Spaces**

Accessible parking spaces must be the parking spaces located:

(A) closest to a main pedestrian access to a building; and
(B) at the same level as the pedestrian entrance to the building.

(1) **Meaning of Accessible**

For the purpose of Section 200.15, “accessible” means free of a physical, architectural or design barriers that would restrict access or use to a person with a disability as defined in the Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11. [By-law: 579-2017 Under Appeal]

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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 every 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 every 50 parking spaces or part thereof in excess of 100 parking spaces, must comply with the minimum dimensions for an accessible parking space. [By-law: 579-2017 Under Appeal]

(1) **Parking rates - Accessible Parking Spaces**

If the total parking space requirement is 5 or more, clearly identified off street accessible parking spaces must be provided on the same lot as every building or structure erected or enlarged, as follows:

(A) if the number of required parking spaces is less than 13, a minimum of 1 parking space must comply with all regulations for an accessible parking space in Section 200.15;
(B) if the number of required parking spaces is 13 to 100, a minimum of 1 parking space for every 25 parking spaces or part thereof must comply with all regulations for an accessible parking space in Section 200.15; and
(C) if the number of required parking spaces is more than 100, a minimum of 4 parking spaces plus 1 parking space for every 50 parking spaces or part thereof in excess of 100 parking spaces, must comply with all regulations for an accessible parking space in Section 200.15. [By-law: 579-2017 Under Appeal]

(2) **Accessible Parking Space Requirement Medical Office and Clinics**

A minimum of 10% of the required parking spaces for a medical office established after May 9, 2013 must comply with the minimum dimensions for an accessible parking space and any accessible parking spaces lawfully existing on the lot must be retained.

(2) **Accessible Parking Space Requirement for Medical Offices and Clinics**

A minimum of 10 percent of the required parking spaces for a medical office or clinic established after May 26, 2017, must comply with all regulations for an accessible parking space in Section 200.15 and any accessible parking spaces lawfully existing on the lot must be retained. [By-law: 579-2017 Under Appeal]
200.15.15 Transition: Accessible Parking Spaces

(1) An application submitted before May 26, 2017 that is eligible to proceed under clauses 200.15.15.1 through 200.15.15.3, must provide accessible parking spaces in compliance with 200.15.15.4 and 200.15.15.5. [By-law: 579-2017 Under Appeal]

200.15.15.1 Transition: Building Permit Applications

(1) Building Permit Applications
Nothing in Articles 200.15.1, 200.15.5 and 200.15.10 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 May 26, 2017, if the project in question complies, or the building permit application for the project is amended to comply, with the provisions of regulations 200.15.15.4 and 200.15.15.5 below, and all finally approved minor variances. [By-law: 579-2017 Under Appeal]

(2) Building Permit Applications
For the purposes of regulation 200.15.15 (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. [By-law: 579-2017 Under Appeal]

200.15.15.2 Transition: Zoning Certificate Applications

(1) Zoning Certificate Applications
Nothing in Articles 200.15.1, 200.15.5 and 200.15.10 will prevent the erection or use of a building or structure, in the circumstances set out in regulation 200.15.15.2 (2) for a project for which a request for a zoning certificate was filed on or prior to May 26, 2017. [By-law: 579-2017 Under Appeal]

(2) Zoning Certificate Applications
After a zoning certificate has been issued for a project that qualifies under regulation 200.15.15 (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 200.15.15(3) and issued pursuant to Section 363-10.1 of Chapter 363, Building Construction and Demolition 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 regulations 200.15.15.4 and 200.15.15.5 below, and all finally approved minor variances. [By-law: 579-2017 Under Appeal]

200.15.15.3 Transition: Site Plan Applications

(1) Site Plan Approval Applications
Nothing in Articles 200.15.1, 200.15.5 and 200.15.10 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 May 26, 2017, if the project in question complies with the provisions of regulations 200.15.15.4 and 200.15.15.5 below, and all finally approved minor variances. [By-law: 579-2017 Under Appeal]

(2) Site Plan Approval Applications
Where a project qualifies under regulation 200.15.15.3:

(A) the Notice of Approval Conditions and final site plan approval may be granted if the project complies with regulations 200.15.15.4 and 200.15.15.5 below, all requirements of the Planning Act, and Section 114 of the City of Toronto Act, 2006, S.O. 2006, c.11 Schedule. A; and

(B) after a Notice of Approval Conditions or final site plan approval is received for a project that qualifies under regulation 200.15.15.3, 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 regulations 200.15.15.4 and 200.15.15.5 below, the site plan approval, and all finally approved minor variances. [By-law: 579-2017 Under Appeal]
(3) **Site Plan Approval Applications**

For the purposes of regulation 200.15.15.3, 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. [By-law: 579-2017 Under Appeal]

### 200.15.15.4 Transition: Parking Space General Requirements

(1) **Accessible Parking Space Dimensions**

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. [By-law: 579-2017 Under Appeal]

(2) **Location of Accessible Parking Spaces**

Accessible parking spaces must be the parking spaces located:

- (A) closest to a main pedestrian access to a building; and
- (B) at the same level as the pedestrian entrance to the building. [By-law: 579-2017 Under Appeal]

(3) **Parking Rates - Accessible Parking Spaces**

If the total parking space requirement is 5 or more, clearly identified off-street accessible parking spaces must be provided on the same lot as every building or structure erected or enlarged, 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 every 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 every 50 parking spaces or part thereof in excess of 100 parking spaces, must comply with the minimum dimensions for an accessible parking space. [By-law: 579-2017 Under Appeal]

### 200.15.15.5 Transition: Medical Office and Clinic Requirements

(1) **Medical Office and Clinic Accessible Parking Space Rates**

A minimum of 10 percent of the required parking spaces for a medical office established after May 26, 2017 must comply with the minimum dimensions for an accessible parking space and any accessible parking spaces lawfully existing on the lot must be retained. [By-law: 579-2017 Under Appeal]

### 200.15.15.6 Transition: Accessible Parking Spaces Duration of Transition

(1) **Transition Application**

Nothing in Article 200.15.15 applies so as to continue the application of these transition regulations beyond the issuance of the building permit upon which the exemptions are founded. [By-law: 579-2017 Under Appeal]

(2) **Transition Clause Duration**

In no case do the exemptions mentioned in Article 200.15.15 continue beyond the repeal of these transition regulations. [By-law: 579-2017 Under Appeal]

(3) **Transition Regulations Repeal**

Clauses 200.15.15.1, 200.15.15.2, 200.15.15.3, 200.15.15.4, 200.15.15.5 and Regulations 200.15.15.6 (1) and (2) are repealed five years after May 26, 2017. [By-law: 579-2017 Under Appeal]
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 that existed 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 of a building on a heritage site is added to through an addition, alteration or extension or if the 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 in Section 220.5 apply to all loading spaces and driveways leading to a loading space.

(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 required loading spaces is based on the total gross floor area on the lot.

(2) Loading Space Calculation for Multi-unit Industrial Buildings
If a lot in the Employment Industrial Zone category has a building with more than one industrial unit, the calculation of the required loading spaces is based upon the interior floor area of each industrial unit and not on the total gross floor area of the entire 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 an "industrial unit" in 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 use for which it is required.

(6) Loading Space Demarcation
Loading spaces inside a building must be clearly marked and identified.

(7) Minimum Loading Space Dimensions
If a loading space is required by this By-law for a building located in Policy Area 1 (PA1) that does not have a dwelling unit, 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 is subject to 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; and

(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; and

(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; and

(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) to (9).

(2) Loading Space Requirements - Building Containing Dwelling Units
A building with dwelling units must provide loading spaces as follows:

<table>
<thead>
<tr>
<th>Number of Units</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 30 dwelling units</td>
<td>None required</td>
</tr>
<tr>
<td>31 to 399 dwelling units</td>
<td>1 Type &quot;G&quot;</td>
</tr>
<tr>
<td>400 dwelling units or more</td>
<td>1 Type &quot;G&quot; and 1 - Type &quot;C&quot;</td>
</tr>
</tbody>
</table>

(3) Loading Space Requirements - Retail Store, Eating Establishment, or Personal Service Shop
A building with a retail store, eating establishment, or personal service shop must provide loading spaces as follows:

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 499 square metres</td>
<td>None required</td>
</tr>
<tr>
<td>500 to 1,999 square metres</td>
<td>1 Type &quot;B&quot;</td>
</tr>
<tr>
<td>2,000 to 4,999 square metres</td>
<td>2 Type &quot;B&quot;</td>
</tr>
<tr>
<td>5,000 to 9,999 square metres</td>
<td>3 Type &quot;B&quot;</td>
</tr>
<tr>
<td>10,000 to 19,999 square metres</td>
<td>1 Type &quot;A&quot; and 3 Type &quot;B&quot;</td>
</tr>
<tr>
<td>20,000 to 29,999 square metres</td>
<td>1 Type &quot;A&quot;, 3 Type &quot;B&quot; and 1 Type &quot;C&quot;</td>
</tr>
<tr>
<td>30,000 square metres or greater</td>
<td>1 Type &quot;A&quot;, 3 Type &quot;B&quot; and 1 Type &quot;C&quot;</td>
</tr>
</tbody>
</table>

(4) Loading Space Requirements - Grocery stores/supermarket
A building with a grocery stores or supermarket must provide loading spaces as follows:

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 499 square metres</td>
<td>None required</td>
</tr>
<tr>
<td>500 to 999 square metres</td>
<td>1 Type &quot;B&quot;</td>
</tr>
<tr>
<td>1,000 to 1,999 square metres</td>
<td>1 Type &quot;A&quot;</td>
</tr>
<tr>
<td>2,000 to 4,999 square metres</td>
<td>1 Type &quot;A&quot; and 1 Type &quot;B&quot;</td>
</tr>
<tr>
<td>5,000 to 9,999 square metres</td>
<td>1 Type &quot;A&quot; and 2 Type &quot;B&quot;</td>
</tr>
<tr>
<td>10,000 to 19,999 square metres</td>
<td>2 Type &quot;A&quot; and 2 Type &quot;B&quot;</td>
</tr>
</tbody>
</table>
20,000 square metres and greater 2 Type "A" and 3 Type "B"

(5) **Loading Space Requirements - Office**

An **building** with an **office** must provide **loading spaces** as follows:

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 499 square metres</td>
<td>None required</td>
</tr>
<tr>
<td>500 to 999 square metres</td>
<td>1 Type &quot;B&quot;</td>
</tr>
<tr>
<td>1,000 to 1,999 square metres</td>
<td>1 Type &quot;B&quot; and 1 Type &quot;C&quot;</td>
</tr>
<tr>
<td>2,000 to 3,999 square metres</td>
<td>1 Type &quot;B&quot; and 2 Type &quot;C&quot;</td>
</tr>
<tr>
<td>4,000 to 27,999 square metres</td>
<td>2 Type &quot;B&quot; and 2 Type &quot;C&quot;</td>
</tr>
<tr>
<td>28,000 to 51,999 square metres</td>
<td>2 Type &quot;B&quot; and 3 Type &quot;C&quot;</td>
</tr>
<tr>
<td>52,000 square metres or greater</td>
<td>A minimum of 2 Type &quot;B&quot; and 3 Type &quot;C&quot;</td>
</tr>
</tbody>
</table>

(6) **Loading Space Requirements - Hotel**

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

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 4,999 square metres</td>
<td>1 Type &quot;B&quot;</td>
</tr>
<tr>
<td>5,000 to 9,999 square metres</td>
<td>1 Type &quot;B&quot; and 1 Type &quot;C&quot;</td>
</tr>
<tr>
<td>10,000 to 19,999 square metres</td>
<td>2 Type &quot;B&quot; and 1 Type &quot;C&quot;</td>
</tr>
<tr>
<td>20,000 to 49,999 square metres</td>
<td>2 Type &quot;B&quot; and 2 Type &quot;C&quot;</td>
</tr>
<tr>
<td>50,000 square metres or greater</td>
<td>A minimum of 1 Type &quot;A&quot;, 1 Type &quot;B&quot; and 2 Type &quot;C&quot;</td>
</tr>
</tbody>
</table>

(7) **Loading Space Requirements - Manufacturing or Warehouse Use**

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

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to 99 square metres</td>
<td>None</td>
</tr>
<tr>
<td>100 to 499 square metres</td>
<td>1 Type &quot;C&quot;</td>
</tr>
<tr>
<td>500 to 999 square metres</td>
<td>1 Type &quot;B&quot;</td>
</tr>
<tr>
<td>1,000 to 4,999 square metres</td>
<td>1 Type &quot;A&quot;</td>
</tr>
<tr>
<td>5,000 to 9,999 square metres</td>
<td>2 Type &quot;A&quot;</td>
</tr>
<tr>
<td>10,000 to 14,999 square metres</td>
<td>3 Type &quot;A&quot;</td>
</tr>
<tr>
<td>15,000 square metres or greater</td>
<td>A minimum of 3 Type &quot;A&quot;</td>
</tr>
</tbody>
</table>

(8) **Loading Space Requirements - Other Select Uses**

A **building** with a **passenger terminal**, **hospital** or any other use similarly involving shipping, loading or unloading of persons, animals or goods, wares or merchandise, must provide **loading spaces** as follows:

<table>
<thead>
<tr>
<th>Gross Floor Area</th>
<th>Minimum Number of Loading Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 to less than 500 square metres</td>
<td>None</td>
</tr>
<tr>
<td>500 to less than 2300 square metres</td>
<td>1</td>
</tr>
<tr>
<td>2300 to less than 7500 square metres</td>
<td>2</td>
</tr>
<tr>
<td>7500 to less than 14000 square metres</td>
<td>3</td>
</tr>
</tbody>
</table>
14000 to less than 22000 square metres  4
22000 to less than 30000 square metres  5

(9) Shared Loading Space Calculations

The loading space requirement for a building in Policy Area 1 (PA1) or Policy Area 2 (PA2) and which has two or more of the following uses; Office, Retail Store, Eating Establishment, Personal Service Shop, or Hotel, is the total of (A) and (B) below:

(A) the minimum number of required Type "B" loading spaces is the largest number of Type "B" loading spaces required for any one of the uses listed above, plus the Type "B" loading spaces required for all other non-residential uses in the building and not listed above; plus

(B) the minimum number of required Type "C" loading spaces is the largest number of Type "C" loading spaces required for any one of the uses listed above plus the Type "C" loading spaces required for all other non-residential uses in the building that are not listed above.

(10) Loading Space Not Required

No type "G" loading space is required if a building has less than 30 dwelling units and is on a lot with a lot area of less than 1,000 square metres.

(11) Loading Space Options

An apartment building with 400 dwelling units or more, may satisfy the requirement for a Type "C" loading space by providing instead one of the following loading spaces:

(A) Type "A";
(B) Type "B"; or
(C) a second Type "G".

220.5.10.11 Loading Space Exemptions

(1) Loading Space Requirements For a Lawfully Existing Building

If the lawful number of loading space for a lawfully existing building is less than the required number of loading spaces, the lawful number of loading spaces is the minimum number of loading spaces for that lawfully existing building.

(2) Loading Space Exemption for a Non-residential Change of Use

If a lawfully existing non-residential building has a change of use to other than a dwelling unit, additional loading spaces are not required if:

(A) the first storey of the lawfully existing building covers at least 75% of the lot area; and
(B) the lawful number of loading spaces is not reduced.

(3) Loading Space Requirements for the Addition or Extension to a Lawfully Existing Building

Any addition or extension to a lawfully existing building referred to in regulation 220.5.10.11(1) must provide any additional loading spaces required by Clause 220.5.10.1 or be authorized by a Section 45 Planning Act minor variance.

(4) Loading Space Requirements for a Change of Use in a Lawfully Existing Building

If a lawfully existing mixed use building referred to in regulation 220.5.10.11(1) changes use:

(A) the lawfully existing number of loading spaces may not be reduced; and
(B) any additional required loading spaces required by Clause 220.5.10.1 must be provided or be authorized by a Section 45 Planning Act minor variance.

(5) REPLACE THIS HEADING

Regulation 220.5.10.1(8) does not apply to a transportation use along Eglinton Avenue West and Eglinton Avenue East. [103-2016] [ By-law: 1031-2014 ]
220.5.20 Access to Loading Space

220.5.20.1 General

(1) Standards for Access to a Loading Space
   A driveway 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 to a Type "A" or Type "G" loading space;
      (ii) 4.0 metres to a Type "B" loading space; and
      (iii) 3.0 metres to a Type "C" loading space.

(2) Loading Space Access
   The permitted maximum slope of a driveway leading to a loading space is:
   (A) 8% for 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 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 lot line abutting a street.

220.5.200 Loading Exemptions

220.5.200.40 Commercial Residential Zone Category

(1) Loading Space Exemption- SS2 Area
   If a lot in the CR zone is subject to Development Standard Set 2 (SS2), the loading space requirements for any non-residential uses do not apply to a lot that has 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 the CRE zone, the number of loading spaces for a lawfully existing building is the lesser of the loading spaces:
   (A) that were lawful on the lot on January 1, 1997;
   (B) required by a building permit issued before January 1, 1997; or
   (C) permitted by regulation 220.5.10.11(1).
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 designated heritage site, is the lesser of the requirements of Clause 220.5.10.1 or the number of loading spaces that existed on July 20, 1993. [By-law: 1124-2018]

(2) Loading Requirements for Additions or Alterations to Heritage Sites Designated Under the Ontario Heritage Act
   For a building on a heritage site, 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 added or replaced floor area.
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 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
The terms "long-term" bicycle parking space and "short-term" bicycle parking space have the following meaning:

   (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 comply with the following:

   (A) the minimum dimension of a bicycle parking space is:
      (i) minimum length of 1.8 metres;
      (ii) minimum width of 0.6 metres; and
      (iii) minimum vertical clearance from the ground of 1.9 metres; and

   (B) the minimum dimension of a bicycle parking space if placed in a vertical position on a wall, structure or mechanical device is:
      (i) minimum length or vertical clearance of 1.9 metres;
      (ii) minimum width of 0.6 metres; and
      (iii) minimum horizontal clearance from the wall of 1.2 metres; and

   (C) if a stacked bicycle parking 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 has 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 on the same lot as the use for which it is required.

(9) 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 required "long-term" bicycle parking space for uses other than dwelling units may be located:

(i) on the first storey of the building;
(ii) on the second storey of the building;
(iii) on levels of the building below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by bicycle parking spaces, until all required bicycle parking spaces have been provided; and

(B) the Residential zone category, Apartment Zone Category, Commercial Residential Zone category, Commercial Residential Employment Zone category, then a required "long-term" bicycle parking space for a dwelling unit in an apartment building or mixed-use building may be located:

(i) on the first storey of the building;
(ii) on the second storey of the building;
(iii) on levels of the building below-ground commencing with the first level below-ground and moving down, in one level increments when at least 50% of the area of that level is occupied by bicycle parking spaces, until all required bicycle parking spaces have been provided; and

(10) Stacked Bicycle Parking Spaces
A "long-term" bicycle parking space may be located in a stacked bicycle parking space.

(11) Bicycle Zones
Bicycle Zones in the City are:

(A) Bicycle Zone 1, is the area of the City bounded by the Humber River on the west, Lawrence Ave. on the north, Victoria Park Ave. on the east and Lake Ontario on the south; and
(B) Bicycle Zone 2, includes all areas of the City not included in Bicycle Zone 1.

230.5.10 Bicycle Parking Rates All Zones

230.5.10.1 General

(1) Bicycle Parking Space Rates
For a building or portion of a building constructed pursuant to a building permit issued more than three years after May 9, 2013, bicycle parking spaces must comply with Table 230.5.10.1(1).

<table>
<thead>
<tr>
<th>Use</th>
<th>Short-Term Bicycle Parking Spaces</th>
<th>Long-Term Bicycle Parking Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crisis Care Facility</td>
<td>(None)</td>
<td>the minimum number of long-term bicycle parking spaces to be provided is 2</td>
</tr>
<tr>
<td>Eating Establishment</td>
<td>the minimum number of short-term bicycle parking spaces to be provided:</td>
<td>the minimum number of long-term bicycle parking spaces to be provided:</td>
</tr>
<tr>
<td>Public School</td>
<td>(A) in Bicycle Zone 1 is 3 plus 0.3 bicycle parking spaces for each 100 square metres of interior floor area used for an eating establishment, and (B) in Bicycle Zone 2 is 3 plus 0.25 bicycle parking spaces for each 100 square metres of interior floor area used for an eating establishment.</td>
<td>(A) in Bicycle Zone 1 is 0.2 for each 100 square metres of interior floor area used for an eating establishment, and (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of interior floor area used for an eating establishment.</td>
</tr>
<tr>
<td>Private School</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Post-Secondary School</td>
<td>the minimum number of short-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 3 plus 2.0 bicycle parking spaces for each 100 square metres of interior floor area used for a post-secondary school, and (B) in Bicycle Zone 2 is 3 plus 2.0 bicycle parking spaces for each 100 square metres of interior floor area used for a post-secondary school.</td>
<td>the minimum number of long-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 2.0 for each 100 square metres of interior floor area used for a post-secondary school, and (B) in Bicycle Zone 2 is 0.6 for each 100 square metres of interior floor area used for a post-secondary school.</td>
</tr>
<tr>
<td>Personal Service Shop</td>
<td>the minimum number of short-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 3 plus 0.3 bicycle parking spaces for each 100 square metres of interior floor area used for a personal service shop, and (B) in Bicycle Zone 2 is 3 plus 0.25 bicycle parking spaces for each 100 square metres of interior floor area used for a personal service shop.</td>
<td>the minimum number of long-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 0.2 for each 100 square metres of interior floor area used for a personal service shop, and (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of interior floor area used for a personal service shop.</td>
</tr>
<tr>
<td>Office</td>
<td>the minimum number of short-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 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; and (B) in Bicycle Zone 2 is 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.</td>
<td>the minimum number of long-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 0.2 for each 100 square metres of interior floor area used for an office, other than a medical office; and (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of interior floor area used for an office, other than a medical office.</td>
</tr>
<tr>
<td>Municipal Shelter</td>
<td>the minimum number of long-term bicycle parking spaces to be provided is 2.</td>
<td></td>
</tr>
<tr>
<td>Hospital</td>
<td>the minimum number of short-term bicycle parking spaces is: (A) in Bicycle Zone 1 is 3 plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for a hospital; and (B) in Bicycle Zone 2 is 3 plus 0.06 bicycle parking spaces for each 100 square metres of interior floor area used for a hospital.</td>
<td>the minimum number of long-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 0.1 for each 100 square metres of interior floor area used for a hospital; and (B) in Bicycle Zone 2 is 0.06 for each 100 square metres of interior floor area used for a hospital.</td>
</tr>
<tr>
<td>Medical Office</td>
<td>the minimum number of short-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 3 plus 0.15 bicycle parking spaces for each 100 square metres of interior floor area used for a medical office; and (B) in Bicycle Zone 2 is 3 plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for a medical office.</td>
<td>the minimum number of long-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 0.15 for each 100 square metres of interior floor area used for a medical office; and (B) in Bicycle Zone 2 is 0.1 for each 100 square metres of interior floor area used for a medical office.</td>
</tr>
<tr>
<td>Education Use</td>
<td>the minimum number of short-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 3 plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for an education use; and (B) in Bicycle Zone 2 is 3 plus 0.06 bicycle parking spaces for each 100 square metres of interior floor area used for an education use.</td>
<td>the minimum number of long-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 0.1 for each 100 square metres of interior floor area used for an education use; and (B) in Bicycle Zone 2 is 0.06 for each 100 square metres of interior floor area used for an education use.</td>
</tr>
<tr>
<td>Eating Establishment</td>
<td>the minimum number of long-term bicycle parking spaces to be provided: (A) in Bicycle Zone 1 is 0.2 for each 100 square metres of interior floor area used for an eating establishment, and (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of interior floor area used for an eating establishment.</td>
<td></td>
</tr>
</tbody>
</table>

**Education Use**

- **Public School**
  - (A) in Bicycle Zone 1 is 3 plus 0.3 bicycle parking spaces for each 100 square metres of interior floor area used for an eating establishment, and 
  - (B) in Bicycle Zone 2 is 3 plus 0.25 bicycle parking spaces for each 100 square metres of interior floor area used for an eating establishment.

- **Private School**

- **Post-Secondary School**
  - the minimum number of short-term bicycle parking spaces to be provided: 
    - (A) in Bicycle Zone 1 is 3 plus 2.0 bicycle parking spaces for each 100 square metres of interior floor area used for a post-secondary school, and 
    - (B) in Bicycle Zone 2 is 3 plus 2.0 bicycle parking spaces for each 100 square metres of interior floor area used for a post-secondary school.

- **Personal Service Shop**
  - the minimum number of short-term bicycle parking spaces to be provided: 
    - (A) in Bicycle Zone 1 is 3 plus 0.3 bicycle parking spaces for each 100 square metres of interior floor area used for a personal service shop, and 
    - (B) in Bicycle Zone 2 is 3 plus 0.25 bicycle parking spaces for each 100 square metres of interior floor area used for a personal service shop.

- **Office**
  - the minimum number of short-term bicycle parking spaces to be provided: 
    - (A) in Bicycle Zone 1 is 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; and 
    - (B) in Bicycle Zone 2 is 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.

- **Municipal Shelter**
  - the minimum number of long-term bicycle parking spaces to be provided is 2.

- **Hospital**
  - the minimum number of short-term bicycle parking spaces is: 
    - (A) in Bicycle Zone 1 is 3 plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for a hospital; and 
    - (B) in Bicycle Zone 2 is 3 plus 0.06 bicycle parking spaces for each 100 square metres of interior floor area used for a hospital.

- **Medical Office**
  - the minimum number of short-term bicycle parking spaces to be provided: 
    - (A) in Bicycle Zone 1 is 3 plus 0.15 bicycle parking spaces for each 100 square metres of interior floor area used for a medical office; and 
    - (B) in Bicycle Zone 2 is 3 plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for a medical office.

- **Education Use**
  - the minimum number of short-term bicycle parking spaces to be provided: 
    - (A) in Bicycle Zone 1 is 3 plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for an education use; and 
    - (B) in Bicycle Zone 2 is 3 plus 0.06 bicycle parking spaces for each 100 square metres of interior floor area used for an education use.

- **Eating Establishment**
  - the minimum number of long-term bicycle parking spaces to be provided: 
    - (A) in Bicycle Zone 1 is 0.2 for each 100 square metres of interior floor area used for an eating establishment, and 
    - (B) in Bicycle Zone 2 is 0.13 for each 100 square metres of interior floor area used for an eating establishment.

- **Public School**
  - the minimum number of short-term bicycle parking spaces to be provided: 
    - (A) in Bicycle Zone 1 is 3 plus 0.1 bicycle parking spaces for each 100 square metres of interior floor area used for an education use, and 
    - (B) in Bicycle Zone 2 is 3 plus 0.06 bicycle parking spaces for each 100 square metres of interior floor area used for an education use.
**230.5.10.11 Bicycle Parking Rate Exemptions**

(1) **Lawfully Existing Building - Bicycle Parking Space Not Required**

Article 230.5.10 does not apply to a lawfully existing building that was not required to provide a bicycle parking space.

(2) **Lawfully Existing Building - Bicycle Parking Space Requirement**

If the lawful number of bicycle parking spaces for a lawfully existing building that was required to provide bicycle parking spaces is less than the required number of bicycle parking spaces, that lawful number of bicycle parking spaces is the minimum number of bicycle parking spaces for that lawfully existing building.

---

(3) **Use With Interior Floor Area of 2000 Square Metres or Less**

Despite the bicycle parking space rates set out in regulations 230.5.10.1(1) and 230.5.10.1(5) and (6), 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.

(4) **Multiple uses on a lot**

If Table 230.5.10.1(1) Bicycle Parking Space Rates, requires a 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.

(5) **Bicycle Parking Space Requirements for Dwelling Units**

Bicycle parking space requirements for dwelling units in an apartment building or a mixed use building are:

(A) in Bicycle Zone 1, a minimum of 1.0 bicycle parking spaces for each dwelling unit, 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, allocated as 0.68 "long-term" bicycle parking space per dwelling unit and 0.07 "short-term" bicycle parking space per dwelling unit.

(6) **Gross Floor Area Exclusions for Bicycle Parking Space Calculations**

To calculate bicycle parking space requirements for other than dwelling units, the gross floor area of a building is reduced by the area in the building used for:

(A) parking, loading and bicycle parking below-ground;

(B) required loading spaces at the ground level and required bicycle parking spaces at or above-ground;

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

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

(E) elevator shafts;

(F) mechanical penthouse; or

(G) exit stairwells in the building.
(3) **Lawfully Existing Building - Shower and Change Facilities**

If a *lawfully existing building* has a *lawful* number of shower and change facilities that is less than the required number of shower and change facilities, that *lawful* number of shower and change facilities is the minimum number of shower and change facilities for that *lawfully existing building*.

(4) **Additions to Lawfully Existing Buildings**

Any addition or extension to a *lawfully existing building* referred to in regulations 230.5.10.11(1), 230.5.10.11(2) and 230.5.10.11(3) must comply with:

(A) the *bicycle parking space* requirement, or be authorized by a Section 45 Planning Act minor variance; and

(B) the shower and change facility requirements or be authorized by a Section 45 Planning Act minor variance.

(5) **Lawfully Existing Building - Change of Use**

If there is a change of use in a *lawfully existing building* referred to in regulations 230.5.10.11(1), 230.5.10.11(2) and 230.5.10.11(3):

(A) any additional required *bicycle parking spaces* must comply with Article 230.5.10 or be authorized by a Section 45 Planning Act minor variance;

(B) the number of *lawful bicycle parking spaces* for that *lawfully existing building* may not be reduced; and

(C) no additional shower and change facility is required.

(6) **Lawfully Existing Building - Bicycle Parking Space Exemption For Size, Type And Location**

If a *lawfully existing building* referred to in regulations 230.5.10.11(2) and 230.5.10.11(3) was required to provide *bicycle parking spaces*, those *lawful bicycle parking spaces* are not required to comply with regulations 230.5.1.10(4) to (6) and 230.5.1.10(9) and regulation 230.5.1.10(3) does not apply.

### 230.10 Bicycle Parking Regulations in the Residential Zone Category

#### 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* may not be:

(A) in a *dwelling unit*;

(B) on a balcony; or

(C) in a storage locker.

(2) **Location Relative to Building Entrance**

If a *lot* with an *apartment building* is in the Residential Zone category, a "short-term" *bicycle parking space* may be no more than 30 metres from a pedestrian entrance to the *apartment building* on the *lot*.

### 230.20 Bicycle Parking Regulations in the Residential Apartment Zone Category

#### 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* may not be:

(A) in a *dwelling unit*;

(B) on a balcony; or
(C) in a storage locker.

(2) Location Relative to Building Entrance
In the Residential Apartment Zone category, a "short-term" bicycle parking space may be no more than 30 metres from a pedestrian entrance to the apartment building on the lot.

230.30 Bicycle Parking Regulations in the Commercial Zone Category

230.30.1 General

230.30.1.20 Standards

(1) Bicycle Parking - Location CL zones
In the CL zone, a bicycle parking space for a dwelling unit may not be:
(A) in a dwelling unit;
(B) on a balcony;
(C) in a storage locker; or
(D) in an area used for commercial space.

(2) Location Relative to Building Entrance
In the Commercial Zone category, a "short-term" bicycle parking space may be no more than 30 metres from a pedestrian entrance to the building on the lot.

230.40 Bicycle Parking Regulations in the Commercial - Residential Zone Category

230.40.1 General

230.40.1.20 Standards

(1) Bicycle Parking - Location CR zones
In the CR Zone category, a bicycle parking space for a dwelling unit may not be:
(A) in a dwelling unit;
(B) on a balcony;
(C) in a storage locker; or
(D) in an area used for commercial space.

(2) Location Relative to Building Entrance
In the Commercial Residential Zone category, a "short-term" bicycle parking space may be no more than 30 metres from a pedestrian entrance to the building on the lot.

230.50 Bicycle Parking Regulations in the Commercial Residential Employment Zone Category

230.50.1 General

230.50.1.20 Standards

(2) Bicycle Parking - Location CRE Zone Category
In the CRE Zone category, a bicycle parking space for a dwelling unit must not be:
(A) in a dwelling unit;
By-law 569-2013 as amended
Zoning By-law for the City of Toronto
Office Consolidation January 1, 2019

(B) on a balcony;
(C) in a storage locker; or
(D) in an area used for commercial space.

(1) 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 may be no more than 30 metres from a pedestrian entrance to the building on the lot.

230.60 Bicycle Parking Regulations in the 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 may be no more than 30 metres from a pedestrian entrance to the building on the lot.

230.80 Bicycle Parking Regulations in the Institutional Zone Category

230.80.1 General

230.80.1.20 Standards

(1) Bicycle Parking Space - Storage Location
In the Institutional Zone category, a "long-term" bicycle parking space may not be located:
(A) in a dwelling unit or bed-sitting room;
(B) on a balcony; or
(C) in a storage locker.

(2) Location Relative to Building Entrance
In the Institutional Zone category, a "short-term" bicycle parking space may be no more than 30 metres from a pedestrian entrance to the building on the lot.
Chapter 280 Special Districts - Downtown

280.5 General Regulations Applying to the Downtown

(1) (THIS SECTION DOES NOT CURRENTLY CONTAIN REGULATIONS)

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**

600.5.1 General

600.5.1.10 Interpretation

(1) **Purpose of a Community Overlay District Map**

A Community Overlay District Map may alter, add or remove some of the regulations affecting the use of land within an area depicted on the Community Overlay District Map. [By-law: 1050-2013 Under Appeal]

600.10 Building Setback Overlay District Map

(1)

For the purposes of Section 600.10, tower means the portions of a building which collectively enclose the entirety of a storey higher than 24.0 metres above average grade. [By-law: 1107-2016 Enacted]

600.10.10 Building Setback Overlay District "A"

(1) **District "A" Building Setback**

The areas within the heavy lines on the Building Setback Overlay District Map in Diagram 1 of By-law 1107-2016 identified as area "Toronto Downtown" are subject to the following:

(A) Despite regulations 40.5.40.71(2), 40.10.40.70 (1), 50.5.40.71(2) and 50.10.40.70 (1), every tower must be set back at least:

(i) the greater of:

(a) 3.0 metres from a lot line that abuts a street; and

(b) 12.5 metres from the centre line of that abutting street; and

(ii) 12.5 metres from the centre line of an abutting lane; and

(iii) 12.5 metres from a lot line having no abutting street or lane.

(B) Despite regulations 40.10.40.80 (1) and 50.10.40.80 (1), (2), (3) and (5), each tower must be separated by at least 25.0 metres from each other tower on the same lot.

(C) If a line projected at a right angle from a main wall of a tower intercepts another main wall of the same tower, those main walls must be separated by a minimum of 25.0 metres.

(D) Despite regulations 40.10.40.60 (6) and 50.10.40.60 (6), the following projections which are attached to a tower must not encroach into the building setbacks required in regulations 600.10.10 (1) (A):

(i) bay windows;

(ii) box windows;

(iii) other window projections;

(iv) exterior stairs; and/or

(v) access ramps.

(E) The following building elements which are attached to a tower may encroach into the separation distances between towers on the same lot required in regulations 600.10.10 (1) (B) and 600.10.10 (1) (C):

(i) a platform, such as a balcony, projecting not more than 1.5 metres from the tower;

(ii) a canopy, awning or similar structure, with or without structural support, or a roof over a platform which complies with regulation 600.10.10 (1) (E) (i), projecting not more than 1.5 metres from the tower;
(iii) if the tower is at least 5 years old, cladding added to the original exterior surface of the main wall of a tower, projecting not more than 0.15 metres from the tower;

(iv) architectural features, including a pilaster, decorative column, cornice, sill, belt course or other similar architectural feature, projecting not more than 0.3 metres from the tower;

(v) eaves, projecting not more than 0.9 metres from the tower; and

(vi) equipment, including a vent or pipe, projecting not more than 0.6 metres from the tower;

(F) Despite the regulations in 600.10.10 (1) (E), building elements are permitted to encroach into either the setback required in regulation 600.10.10.(1)(A) or the separation distances required in regulations 600.10.10 (1) (B) and 600.10.10 (1) (C) must not penetrate into a required angular plane. [By-law: 1107-2016 Enacted]

(2) Buildings Constructed According to Building Permit

None of the provisions of Section 600.10.10 Building Setback Overlay District "A" apply to prevent the erection or use of a building or structure constructed pursuant to a building permit issued prior to October 4, 2016. [By-law: 1107-2016 Enacted]

(3) Developments Exempt From Complying

None of the provisions of this Section 600.10.10 Building Setback Overlay District "A" apply to prevent the erection or use of a building or structure permitted by the following amending by-laws to the Former General Zoning By-law 438-86 and by the following amending by-laws to this By-law including as each may be amended pursuant to a Section 34 Planning Act By-law or varied by a Section 45 Planning Act minor variance:

By-law No. 1980-0097 – Respecting Ryerson University;
By-law No. 1988-0998 – Respecting 40 Temperance Street;
By-law No. 1989-0527 – Respecting Ryerson University;
By-law No. 1994-0605 – Respecting 40 Temperance Street;
By-law No. 1999-0068 – Respecting 30 Bond Street (St. Michael's Hospital);
By-law No. 2002-0927 – Respecting 381-411 Richmond Street East and 424-460 Adelaide street East;
By-law No. 2003-0101 – Respecting 837 and 837R Yonge Street;
By-law No. 2005-0141 – Respecting the Regent Park Area;
By-law No. 2005-0180 – Respecting 30 Mutual Street and 88 Queen Street East;
By-law No. 2006-0460 – Respecting 40 Temperance Street;
By-law No. 2006-1049 – Respecting the East Bayfront – West Precinct;
By-law No. 2008-0060 – Respecting 4, 6 and 8 St. Thomas Street and 100-110 Charles Street West;
By-law No. 2008-0860 – Respecting 1 Front Street East, and 5 and 7 The Esplanade;
By-law No. 2009-0943 – Respecting the Regent Park Area;
By-law No. 2010-0490 – Respecting 46-52 Spadina Avenue and 378 Wellington Street West;
By-law No. 2010-0787 – Respecting 2 Bloor Street West;
By-law No. 2010-1041 – Respecting 335 King Street West, 355 King Street West and 119 Blue Jays Way;
By-law No. 2010-1046 – Respecting 880 Bay Street, a portion of 900 Bay Street and 60 Grosvenor Street;
By-law No. 2010-1118 – Respecting 203 Jarvis Street;
By-law No. 2010-1174 – Respecting the Keating Channel Precinct West;
By-law No. 2012-0523 – Respecting 94 Cumberland Street and 24 and 25 Bellair Street;
By-law No. 2012-0680 – Respecting 7, 15, 25R, 29 and 39 Queen Quay East;
By-law No. 2012-1035 – Respecting 571 Dundas Street West, 21, 21a, 23, 23a, 91 Augusta Avenue, 73-75 Augusta Square and 20 Vanauley Street;
By-law No. 2012-1048 – Respecting 576, 578 and 580 Front Street West, 25 and 27 Bathurst Street, 33 and 35 and 49 Niagara Street;
By-law No. 2012-1049 – Respecting 1, 3, 5, 7 and 9 Sultan Street, and 11 St. Thomas Street;
By-law No. 2012-1556 – Respecting 357-363 King Street West and 62 Peter Street;
By-law No. 2013-0444 – Respecting 261 Queens Quay East;
By-law No. 2013-0623 – Respecting 281-289 Avenue Road;
By-law No. 2013-0817 – Respecting 2, 6 and 8 Gloucester Street and 601-613 Yonge Street;
By-law No. 2013-0826 – Respecting 159 Wellesley Street East;
By-law No. 2013-1043 – Respecting 951 to 971 Bay Street and 36 Wellesley Street West;
By-law No. 2013-1050 – Respecting 27-37 Yorkville Avenue and 26-32 and 50 Cumberland Street;
By-law No. 2013-1084 – Respecting 21 Avenue Road;
By-law No. 2013-1341 – Respecting 200 Dundas Street East, 241-251 Jarvis Street and 280 George Street;
By-law No. 2013-1498 – Respecting 1 The Esplanade;
By-law No. 2013-1502 – Respecting 388 King Street West and 82 Peter Street;
By-law No. 2013-1503 – Respecting 81 and 87 Peter Street;
By-law No. 2013-1504 – Respecting 523, 525 and 525A Adelaide Street West;
By-law No. 2013-1523 – Respecting 197, 197R and 201 Yonge Street and 15 Shuter Street;
By-law No. 2013-1710 – Respecting 571 Dundas Street West, 21, 21a, 23, 23a, 91 Augusta Avenue, 73-75 Augusta Square and 20 Vanauley Street;
By-law No. 2013-1724 – Respecting 454-464 Yonge Street;
By-law No. 2013-1725 – Respecting 595 Bay Street, 14-80 Dundas Street West and 304-316 Yonge Street;
By-law No. 2014-0086 – Respecting 84-70 Shuter Street;
By-law No. 2014-0133 – Respecting 545, 555, 565 Sherbourne Street;
By-law No. 2014-0275 – Respecting the Regent Park Area;
By-law No. 2014-0303 – Respecting 17 Dundonald Street;
By-law No. 2014-0693 – Respecting 547, 549 and 555 College Street;
By-law No. 2014-0699 – Respecting 523, 525 and 525A Adelaide Street West;
By-law No. 2014-1011 – Respecting lands located on the north side of Dupont Street from Ossington Avenue to Kendal Avenue;
By-law No. 2014-1028 - Respecting 186-188 Jarvis Street;
By-law No. 2014-1041 – Respecting 324, 326, 328 and 332 Richmond Street West;
By-law No. 2014-1051 – Respecting 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street;
By-law No. 2014-1061 – Respecting 57 Spadina Avenue;
By-law No. 2014-1063 – Respecting 5 to 25 Wellesley Street West and 14 to 26 Breadalbane Street and 155 St. Luke Lane;
By-law No. 2014-1078 – Respecting 219 Queen Street West;
By-law No. 2015-0391 – Respecting 47-55 St George Street;
By-law No. 2015-0806 – Respecting 231-237 College Street and 177-189 Huron Street;
By-law No. 2015-0811 – Respecting 424-460 Adelaide Street East;
By-law No. 2015-0837 – Respecting 355 Church Street;
By-law No. 2015-1027 – Respecting 156-174 Front Street West and 43-51 Simcoe Street;
By-law No. 2015-1042 – Respecting 270-288 Church Street, 101-105 Bond Street and 111 Bond Street;
By-law No. 2015-1049 – Respecting 27-37 Yorkville Avenue and 26-32 and 50 Cumberland Street;
By-law No. 2015-1050 – Respecting 27-37 Yorkville Avenue and 26-50 Cumberland Street;
By-law No. 2015-1275 – Respecting 375, 375R and 379 and 381 Queen Street West;
By-law No. 2015-1366 – Respecting 500 Lake Shore Boulevard West;
By-law No. 2016-0132 – Respecting 20 to 26 Lombard Street and 25 Richmond Street East;
By-law No. 2016-0239 – Respecting 602-622 King Street West, 499-505 Adelaide Street West and 1 and 11 Adelaide Place;
By-law No. By-law No. 2016-0273 – Respecting 40-58 Widmer Street;
By-law No. 2016-0382 – Respecting 175-191 Dundas Street East and 235 Jarvis Street;
By-law No. 2016-0529 – Respecting 70 and 72 Carlton Street;
By-law No. 2016-0671 – 604-618 Richmond Street West;
By-law No. 2016-0757 – Respecting 11 and 33 Centre Avenue and 80 Chestnut Street;
By-law No. 2016-0778 – Respecting 587-599 Yonge Street, 2 and 4 Dundonald Street, and 7 and 9 Gloucester Street;
By-law No. 2016-0780 – Respecting 245,251 and 255 College Street, 39 and 40 Glasgow Street;
By-law No. 2016-1047 – Respecting 143-177 Lake Shore Boulevard East, 26 Richardson Street and 130-132 Queens Quay East; [ By-law: 1107-2016 Enacted ]

(3) Developments Exempt From Complying

None of the provisions of this Section 600.10.10 Building Setback Overlay District "A" apply to prevent the erection or use of a building or structure permitted by the following amending by-laws to the Former General Zoning By-law 438-86 and by the following amending by-laws to this By-law including as each may be amended pursuant to a Section 34 Planning Act By-law or varied by a Section 45 Planning Act minor variance:

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By-law No. 2008-0060 – Respecting 4, 6 and 8 St. Thomas Street and 100-110 Charles Street West;
By-law No. 2008-0860 – Respecting 1 Front Street East, and 5 and 7 The Esplanade;
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By-law No. 2010-1041 – Respecting 335 King Street West, 355 King Street West and 119 Blue Jays Way;
By-law No. 2010-1046 – Respecting 880 Bay Street, a portion of 900 Bay Street and 60 Grosvenor Street;
By-law No. 2010-1118 – Respecting 203 Jarvis Street;
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By-law No. 2012-0523 – Respecting 94 Cumberland Street and 24 and 25 Bellair Street;
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By-law No. 2012-1048 – Respecting 576, 578 and 580 Front Street West, 25 and 27 Bathurst Street, 33 and 35 and 49 Niagara Street;
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By-law No. 2013-1504 – Respecting 523, 525 and 525A Adelaide Street West;
By-law No. 2013-1523 – Respecting 197, 197R and 201 Yonge Street and 15 Shuter Street;
By-law No. 2013-1710 – Respecting 571 Dundas Street West, 21, 21a, 23, 23a, 91 Augusta Avenue, 73-75 Augusta Square and 20 Vanauley Street;
By-law No. 2013-1724 – Respecting 454-464 Yonge Street;
By-law No. 2013-1725 – Respecting 995 Bay Street, 14-80 Dundas Street West and 304-316 Yonge Street;
By-law No. 2014-0086 – Respecting 64-70 Shuter Street;
By-law No. 2014-0133 – Respecting 545, 555, 565 Sherbourne Street;
By-law No. 2014-0275 – Respecting the Regent Park Area;
By-law No. 2014-0303 – Respecting 17 Dundonald Street;
By-law No. 2014-0693 – Respecting 547, 549 and 555 College Street;
By-law No. 2014-0699 – Respecting 523, 525 and 525A Adelaide Street West;
By-law No. 2014-1011 – Respecting lands located on the north side of Dupont Street from Ossington Avenue to Kendal Avenue;
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By-law No. 2014-1041 – Respecting 324, 326, 328 and 332 Richmond Street West;
By-law No. 2014-1051 – Respecting 481 University Avenue, 210 Dundas Street West, 70 Centre Avenue and 137 Edward Street;
By-law No. 2014-1061 – Respecting 57 Spadina Avenue;
By-law No. 2014-1063 – Respecting 5 to 25 Wellesley Street West and 14 to 26 Breadalbane Street and 155 St. Luke Lane;
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By-law No. 2016-0132 – Respecting 20 to 26 Lombard Street and 25 Richmond Street East;
By-law No. 2016-0239 – Respecting 602-622 King Street West, 499-505 Adelaide Street West and 1 and 11 Adelaide Place;
600.50 Community Overlay District Maps

600.50.10 Queen Street West Eating Establishment Community Overlay District Map

(1) Queen Street West Eating Establishment Community Overlay District Map

Within the area of the heavy lines on the Queen Street West Eating Establishment Community Overlay District Map in By-law No. 1050-2013 and identified as areas "A", "B", "C" and "D" are subject to the following:

(A) the total number of eating establishments within the area on the Queen Street West Eating Establishment Community Overlay District Map in By-law No. 1050-2013 may not exceed:

(i) within Area A, 22;
(ii) within Area B, 18;
(iii) within Area C, 21; and
(iv) within Area D, 14;

(B) an entertainment place of assembly is not permitted;

(C) an eating establishment, take-out eating establishment, place of assembly and club may only be on a lot with a front lot line or side lot line that abuts Queen Street West;

(D) an eating establishment, take-out eating establishment, place of assembly, club, and any use that is ancillary to these uses, that is aboveground may only be on the first storey;
(E) Despite regulation 40.10.20.100(1)(A), the total **interior floor area** of all **eating establishments, take-out eating establishments, places of assembly, clubs**, and uses that are ancillary to these uses, on a **lot** may not exceed 200 square metres, excluding rooms used only for food preparation;

(F) the **interior floor area** of internal passage ways used by patrons and staff which connect **eating establishments, take-out eating establishments, places of assembly, clubs** and uses that are ancillary to these uses, must be included in the **interior floor area** for regulation (E) above;

(G) the aggregate surface area of all windows and doors of an **eating establishment, take-out eating establishment, place of assembly, club**, and any use that is **ancillary** to these uses, in a **main wall** that faces a **rear lot line** or a **street** other than Queen Street West may be no greater than 4.0 square metres;

(H) despite regulation 150.100.20(1)(A), the following may occupy a maximum of 6% of the total **interior floor area** of an **eating establishment** to a maximum of 12 square metres:

   (i) teletheatre gambling;
   (ii) sound room;
   (iii) areas dedicated to recreational activities, but not an area for a dance floor or disc jockey; and
   (iv) any other entertainment area, but not an area for a dance floor or disc jockey;

(I) an **outdoor patio** may be:

   (i) between the front **main wall** of a **building** and a **front lot line** that abuts Queen Street West; or
   (ii) between the **main wall** and a **side lot line** that does not abut a **street**, if it is located no farther than 50% of the **building length** from the **front lot line**. [By-law: 1050-2013 Under Appeal]
Chapter 800 Definitions

800.50 Defined Terms

(5) Adult Entertainment
means premises used for entertainment including activities, facilities, performances, exhibitions, viewings or encounters designed to appeal to erotic or sexual appetites or inclinations which a principal feature or characteristic is the nudity or partial nudity of any person. A body rub service is not an adult entertainment.

(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.

(45) Angular Plane
means an imaginary flat surface projecting over a lot, at an inclined angle measured up from the horizontal. [By-law: 1124-2018]

(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 building that was originally constructed as a detached house, semi-detached house or townhouse and has one or more secondary suites 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 vehicle entrance 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 level of 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 parking or storing a bicycle.

(92) **Body Rub Service**

means premises used for services involving the kneading, manipulating, rubbing, massaging, touching or stimulating by any means of a person's body for the purposes of appealing to erotic or sexual appetites or inclinations. An adult entertainment, massage therapy, or wellness centre is not a body rub service.

(95) **Building**

means a wholly or partially enclosed structure with a roof supported by walls, columns, piers or other structural systems. A vehicle is not a building.

(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 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 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 use, 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**

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 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** providing temporary care or guidance for more than five children, for a continuous period not exceeding twenty-four hours and is regulated as a home child care agency under the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1. A recreational program operated by or for the City is not a **day nursery**. [By-law: 1429-2017]

(180) **Detached House**

means a **building** that has one **dwelling unit** occupying the entire **building**.

(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 **vehicle** passageway located within an area used for the parking or storage of 3 or more **vehicles**.

(200) **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**.

(205) **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**.

(210) **Driveway**

means a passageway providing **vehicle** 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 two **dwelling units**, with one **dwelling unit** entirely or partially above the other. A **detached house** that has a **secondary suite**, is not a **duplex**.

(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, as amended; 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 use, 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 a parking space, that is closest in elevation to the elevation of established grade.

(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 (Birchcliffe); 9350 (Bendale); 9174 (Birchmount Park); 9396 (Cliffton); 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 four dwelling units, with at least one dwelling unit entirely or partially above another. A detached house, semi-detached house or townhouse that has one or more secondary suites is not a fourplex.

(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 coordination 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 coordination 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 set out in Chapter 492 of the City of Toronto Municipal Code.

(320) **Gross Floor Area**
means the sum of the total area of each floor level of a **building**, above and below the ground, 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 up to ten persons, exclusive of staff, living together in a single housekeeping unit because they require a supervised group living arrangement. [ **By-law: 0550-2014** ]

(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 palliative care.

(355) **Hospital**
means **premises** used as a private or public **hospital** under the Province of Ontario Public Hospitals Act, R.S.O. 1990, c. P.40, as amended or Private Hospitals Act, R.S.O. 1990, c. P.24, as amended, 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 **eating establishment** that is **ancillary** to the **hotel**.

(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 use** does not include the lease, rental, sale, servicing, customizing or repair of **vehicles**, other than those used 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.

(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 or architectural elements. **Driveways** and areas for loading, parking or storing of **vehicles** are not **landscaping**.

(400) **Lane**

means a public right-of-way that is not for general traffic circulation.

(402) **Laneway Suite**

means a self-contained living accommodation for a 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 and is in an **ancillary building** abutting a **lane**. [By-law: 810-2018]

(405) **Lawful and Lawfully**

means:

- (A) authorized or permitted before a zoning or restrictive by-law 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.

(410) **Lawfully Existing**

means:

- (A) existing **lawfully** on May 9, 2013;
- (B) for which a building permit was **lawfully** issued before May 9, 2013; or
- (C) for which a building permit was **lawfully** issued within three years of May 9, 2013 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.

(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**.
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.

Lot Depth
means the horizontal distance between the front lot line and rear lot line of a lot, measured along the lot centreline. [By-law: 1124-2018]

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 required minimum front yard setback.

Lot Line
means any boundary of a lot.

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.

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.

Marihuana Production Facility
means premises used for growing, producing, testing, destroying, storing, or distribution of marihuana or cannabis, or products containing marihuana or cannabis, authorized by a licence issued under Government of Canada legislation. [By-law: 1124-2018]

Market Garden
means premises used for growing and harvesting vegetables, fruits, flowers, shrubs, trees or other horticultural products for the purpose of sale.

Massage Therapy
means premises providing massage therapy by persons who are medical or health professionals licensed or registered under Province of Ontario legislation. A body rub service or wellness centre is not a massage therapy.

Mausoleum
means a building or structure, other than a columbarium, used for the interment of human remains.

Mixed Use Building
means a building with a dwelling unit and a non-residential use. A residential building is not a mixed use building.

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.

Museum
means premises used for the exhibition, collection or preservation of objects of cultural, historical or scientific interest for public viewing.

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 use is not a nightclub.

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.

Non-Residential Building
means a building that does not have a dwelling unit.
Nursing Home
means premises used to provide living accommodation and regular nursing care for persons of any age and which has personal and medical care facilities, common lounges and dining areas.

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.

Off-site Parking
means one or more parking spaces on one lot providing required parking spaces for a use on another lot.

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.

Outdoor Patio
means an outdoor patron area that is ancillary to a non-residential use.

Park
means premises used for conservation, horticulture, or municipally operated public recreation.

Parking Garage
means a building or portion thereof, with one or more parking spaces.

Parking Space
means an area used for the parking or storing of a vehicle.

Passenger Terminal
means premises used for the boarding or discharge of people being transported.

Performing Arts Studio
means premises used for the rehearsal of performing arts, such as music, dance or theatre.

Personal Service Shop
means premises used to provide personal grooming services or for the cleaning or care of apparel.

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.

Pet Services
means premises used to provide for the grooming of domestic animals. A veterinary hospital or a kennel are not pet services.

Petrochemical Manufacturing
means premises used for primary processing of refined petroleum and natural gas into petrochemicals for secondary processing.

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.

Place of Worship
means premises used by a religious organization for religious worship, services, ceremonies or rites, which may also be used for the advancement of its charitable purposes.

Post-Secondary School
means premises used for educational purposes by a degree granting college or university under Province of Ontario legislation.

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 children and 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 and may have a maximum of:

- (A) six children, if the **Private Home Daycare** (home child care) is under an agreement to a home child care agency as regulated under the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1; and
- (B) five children, if the **Private Home Daycare** (home child care) is not under an agreement to a home child care agency as regulated under the Child Care and Early Years Act, 2014, S.O. 2014, c. 11, Sched. 1 [By-law: 1429-2017]

(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 Parking**
means premises having an area for the parking of one or more *vehicles* as a principal use and the parking of a *vehicle* is available for public use with or without a fee. [By-law: 1675-2013]

(625) **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.

(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, woodworking shop, repair garage or storage facility used in connection with public works such as *transformation uses* and *parks*. [By-law: 1124-2018]

(640) **Quarry**
means premises regulated under Province of Ontario legislation used for any excavation or 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*. 
Recovery Facility means premises used for separating or sorting recyclable material. A salvage yard is not a recovery facility.

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 is not a recreation use.

Recyclable Material means material that is separated into specific categories for purposes of reuse, recycling or composting.

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.

Religious Organization means a corporation or an association of persons that is charitable according to the law of Ontario, organized for the advancement of religion through the conduct of religious worship, services, ceremonies or rites, including its charitable purposes.

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.

Renewable Energy means energy obtained from solar energy, wind energy, or geo-energy.

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.

Residential Care Home means supervised living accommodation that may include associated support services, and:

(A) is licensed or funded under Province of Ontario or Government of Canada legislation;
(B) is for persons requiring semi-independent or supervised group living arrangements; and
(C) is for more than ten persons, exclusive of staff.

(D) an apartment building used for the purpose of supportive housing or social housing is not a residential care home.

Resin, Natural or Synthetic Rubber Manufacturing means premises used for primary processing of synthetic resins, plastics materials and synthetic rubber from basic organic chemicals.

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 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 facilities for maintenance, service and fuelling areas that are ancillary to the shipping terminal. A waste transfer station is not a shipping terminal.

(763) **Short-term Rental**

   **Short-term Rental** means all or part of a dwelling unit, that:

   (A) is used to provide sleeping accommodations for any rental period that is less than 28 consecutive days; and
   (B) the principal residence of the short-term rental operator. [By-law: 1453-2017 Enacted]

(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 excluding 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 onsite queuing area for motor vehicles that is separated from other vehicle traffic and pedestrian circulation by barriers, markings or signs.

(815) **Stacking Aisle**
means an on site queuing area for motor vehicles that is separated from other vehicle traffic and pedestrian circulation by barriers, markings or signs.

[ By-law: 607-2015 Under Appeal ]

(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 yard, rear yard 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 and operated by a 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 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. A detached house or semi-detached house that has one or more secondary suites is not a townhouse.

(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 three dwelling units, with at least one dwelling unit entirely or partially above another. A detached house or semi-detached house that has one or more secondary suites is not a triplex.

(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 dispatching, maintenance, service and fuelling areas for the stored vehicles that are ancillary to the vehicle depot.

(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.

(937) Wellness Centre
means premises providing services for therapeutic and wellness purposes. A massage therapy, medical office or body rub service is not a wellness centre.
[ By-law: 0559-2014 (OMB PL130592) ]

(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.

(955) **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.