

"This extract from Zoning By-law No. 438-86 as amended, is given for your general information and convenience only and without assumption of liability. It should be clearly understood that you must satisfy yourself as to whether the premises and the existing or proposed use thereof is or would comply with the Zoning By-law, the Building Code Act or the Building Code or will contravene any other applicable law."

T 1.5
C 1.5
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SECTION 8 - MIXED-USE DISTRICTS (CR, MCR and Q) (425-93)

(1) PERMITTED USES

- (a) No person shall, within a CR, MCR, or Q district, use a lot or erect or use a building or structure for any purpose except one or more of the uses where permitted by the chart in paragraph (f) and subject to qualifications where indicated. (425-93) (1994-0178)
- (b) Each use permitted by the chart is subject to:
- (i) the qualifications, if any, in subsection (2) to be complied with before the use is permitted;
 - (ii) the regulations in section 4;
 - (iii) the regulations in subsection (3);
 - (iv) the exceptions in section 11; and
 - (v) the exceptions in section 12;
 - (vi) any provision of a by-law referred to in section 13 that conflicts with a provision of this by-law; and
 - (vii) the exceptions (including the exceptions in section 12 and the by-laws referred to in section 13) referred to in Section 15 - the Index of Exceptions - and identified as to municipal addresses.
- (c) A use is permitted by the chart when the letter "P" is set in the line opposite the designation of the use but only in the use district or districts designated at the top of the column or columns intersecting the line where the letter "P" is set.
- (d) A use is permitted by the chart when the letter "q" followed by a number or numbers is set in the line opposite the designation of the use but only:
- (i) in the use district or districts designated at the top of the column or columns intersecting the line where the letter "q" followed by a number or numbers is set; and
 - (ii) subject to the qualification or qualifications in subsection (2) bearing the number or numbers that follow the letter "q".
- (e) (i) Uses accessory to a use that is permitted by the chart are themselves permitted by the chart as accessory uses when an asterisk is set in the line opposite the designation of the use and in the column under the heading "Acc." but only in the use district or districts designated at the top of the column or columns intersecting the line where the letter "P" or the letter "q" is set; and (425-93)

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Heritage

(ii) Notwithstanding subparagraph (i), motor vehicle parking spaces, whether required by this by-law or not, shall only be provided in a parking facility that is permitted in the zoning district where it is located (425-93)

(f) Following is the chart:

CHART

(a) RESIDENTIAL USES

	Acc	CR	MCR	Q
(i) HOUSING COMPRISING DWELLING UNITS				
<i>apartment building</i>	•	P	P	
<i>artist live/work studio</i>	•	P	P	
<i>converted house</i>	•	P	P	
<i>detached house</i>	•	P	P	
<i>duplex</i>	•	P	P	
<i>dwelling units in a building - one or more</i>	•	q1	q1	
<i>live-work unit (1994-0532)</i>	•	q14	q14	
<i>row house</i>	•	P	P	
<i>rowplex</i>	•	P	P	
<i>semi-detached duplex</i>	•	P	P	
<i>semi-detached house</i>	•	P	P	
<i>semi-detached triplex</i>	•	P	P	
<i>senior citizens' housing</i>	•	P	P	
<i>triplex</i>	•	P	P	

(425-93) (1994-0178) (1997-0072)

(a)	RESIDENTIAL USES	Acc	CR	MCR	Q
(i)	SHARED HOUSING CONTAINING DWELLING ROOMS (909-88)				
	<i>crisis care facility</i>	*	q3	q3	q3
	<i>dwelling rooms in a building - one or more</i>	*	q2	q2	
	* <i>home for the aged</i>	*	P	P	P
	* <i>hostel</i>	*	P	P	P
	<i>monastery, nunnery or religious retreat</i>	*	P	P	P
	<i>nursing home, convalescent home or rest home</i>	*	P	P	P
	* residence owned and controlled by Y.M.C.A., Y.W.C.A., or Jewish Community Centre, and a residence affiliated with a hospital or university to house patients, students or employees or <i>public hospital</i>	*	P	P	P
	<i>residential care facility</i>	*	q3	q3	q3
	<i>rooming house</i>	*	q4	q4	q4
	<i>tourist or guest home</i>	*	P	P	
	* <i>university residence</i>	*	P	P	P
(iii)	ASSOCIATED/ACCESSORY RESIDENTIAL USES				
	<i>parking area</i> (1994-0532)	*	P	P	P
	<i>parking garage</i>	*	P	P	P
	<i>parking stacker</i> (1994-0178)	*		q15	
	<i>parking station</i>	*	q11	q11	q11
	<i>private garage</i>	*	P	P	P

(425-93) (1994-0178) (1994-0532)

(a)	NON-RESIDENTIAL USES	Acc	CR	MCF	O
(i)	PARKS, RECREATION, PLACES OF AMUSEMENT AND ASSEMBLY				
	<i>club</i> (1997-0595)	•	q7	q7	
	commercial baths	•	P	P	
	<i>concert hall</i> (1994-0601) (1997-0595)	•	q7		
	park	•	P	P	P
	<i>place of amusement</i> (1997-0595)	•	q7	q7	
	<i>place of assembly</i> (1994-0601) (1997-0595)	•	q7	q7	
	arena, stadium, race track (1994-0601)	•	P		
	<i>public park</i>	•	P	P	P
	<i>public playground</i>	•	P	P	P
(ii)	COMMUNITY SERVICES, CULTURAL AND ARTS FACILITIES				
	N <i>clinic</i>	•	P	P	
	<i>community centre</i>	•	P	P	P
	<i>community health centre</i>	•	P	P	P
	<i>day nursery</i>	•	P	P	P
	fire hall	•	P	P	P
	high school or secondary school	•	P	P	P
	<i>municipal community centre</i>	•	P	P	P
	<i>performing arts studio</i>	•	P	P	P
	<i>place of worship</i>	•	P	P	P
	police station	•	P	P	P
					(425-93) (1994-0178)

(b) NON-RESIDENTIAL USES	Acc	CR	MCR	Q
premises of a <i>charitable institution, non-profit institution</i> or other community or social agency	•	q8	q8	q8
<i>public art gallery</i>	•	P	P	P
<i>public library</i>	•	P	P	P
<i>public museum</i>	•	P	P	P
public or separate elementary school	•	P	P	P
Y.M.C.A., Y.W.C.A., Y.M.H.A. Y.W.H.A. (1997-0422)	•	P	P	
(iii) GENERAL INSTITUTIONS				
* college or university, Royal Conservatory of Music, and any use that is naturally and normally incidental or subordinate and devoted to the principal use of the institution (1994-0532)	•	P	P	P
* clinic, treatment or research centre or hospital for the observation and treatment of and for consultation with alcoholics and addicts	•	P	P	P
<i>post office</i>	•	P	P	P
premises of a <i>charitable institution or non-profit institution</i>	•	P	P	P
<i>private academic, philanthropic or religious school</i>	•	P	P	P
private hospital	•	P	P	P
<i>psychiatric hospital</i>	•	P	P	P
<i>public hospital</i>	•	P	P	P
seminary or religious mission	•	P	P	P
<i>union hall</i>	•	P	P	P
vocational school	•	P	P	P
				(425-93) (1994-0178)

(b) NON-RESIDENTIAL USES	Acc	CR	MCR	Q
(iv) RETAIL AND SERVICE SHOPS				
<i>auctioneer's premises</i>	•	P	P	
<i>bake-shop (1997-0422) (1997-0595)</i>	•	q7	q7	q7
<i>branch of a bank or financial institution</i>	•	P	P	P
<i>brew-on-premises establishment</i>	•	P	P	P
<i>caterer's shop (1997-0595)</i>	•	q7	q7	q7
<i>courier service</i>	•	q6	q6	
<i>dry-cleaner's distributing station</i>	•	P	P	P
<i>dry-cleaning shop</i>	•	P	P	
<i>duplicating shop</i>	•	P	P	P
<i>laundry shop</i>	•	P	P	P
<i>pawnbroker's shop</i>	•	P	P	
<i>* personal grooming establishment</i>	•	P	P	P
<i>pet shop</i>	•	P	P	
<i>private art gallery</i>	•	P	P	
<i>* restaurant (1996-0028)</i>		q7	q7	q7
<i>retail store</i>	•	P	P	q5
<i>service, rental or repair shop</i>	•	P	P	
<i>showroom</i>	•	P	P	
<i>tailoring shop</i>	•	P	P	P
<i>take-out restaurant</i>	•	q7	q7	q7

(425-93) (1994-0178)

(b) NON-RESIDENTIAL USES	Acc	CR	MCR	Q
(v) WORKSHOPS AND STUDIOS				
<i>artist's or photographer's studio</i>	•	P	P	
<i>communications and broadcasting establishment</i>	•	P	P	q13
<i>custom workshop</i>	•	P	P	
<i>data processing establishment</i>	•	P	P	
<i>industrial computer service</i>	•	P	P	
<i>laboratory, class A</i>	•	P	P	q13
<i>printing plant</i>	•	q9	q9	
<i>publisher</i>	•	P	P	
<i>research and development institute</i>	•	P	P	q13
<i>software design and development establishment (1994-0653)</i>	•	P	P	P
(vi) OFFICES				
<i>office</i>	•	P	P	q10
(vii) AUTOMOBILE RELATED USES				
<i>automobile service and repair shop (1997-0280)</i>	•	q12	q12	
<i>automobile service station (1997-0280)</i>	•	q12	q12	
<i>car washing establishment</i>	•	P	P	
<i>commercial parking lot</i>	•	q11	q11	
<i>motor vehicle repair shop, class A (1997-0280)</i>	•	q12	q12	
<i>parking area (1994-0532)</i>	•P	P	P	
				(425-93) (1994-0178)

(b) NON-RESIDENTIAL USES	Acc	CR	MCR	Q
<i>parking garage</i>	•	P	P	P
<i>parking stacker</i> (1994-0178)	•		q15	
<i>parking station</i>	•	q11	q11	q11
<i>private garage</i>	•	P	P	P
<i>sales or hire garage</i>	•	P	P	
<i>taxicab stand or station</i> (445-88)	•	P	P	
(viii) WAREHOUSING AND STORAGE				
<i>cold storage locker plant</i>	•	P	P	
(ix) MISCELLANEOUS USES				
<i>animal hospital</i>	•	P	P	
<i>commercial bakery</i>	•	P	P	
<i>commercial school</i>	•	P	P	
<i>hotel</i>	•	P	P	
<i>massage establishment</i>	•	P	P	
<i>newspaper plant</i>	•	P	P	
<i>public transit</i>	•	P	P	P
<i>trade school</i>	•	P	P	P
<i>undertaker's establishment</i>	•	P	P	

(425-93) (1994-0178) (1994-0532)

SECTION 8 - MIXED-USE DISTRICTS (CR, MCR and Q) (425-93)

(2) QUALIFICATIONS TO BE COMPLIED WITH BEFORE CERTAIN USES ARE PERMITTED IN MIXED-USE DISTRICTS

1. (a) One or more *dwelling units* in a building are permitted provided the building contains uses permitted in the CR, MCR, or Q district in which the building is located. (909-88) (425-93) (1994-0178)
- (b) No person shall in a CR, MCR or Q district, erect or use a structure having more than one basement or floor level below or partly below *grade* containing *dwelling units*. (425-93) (1994-0178)
2. One or more *dwelling rooms* in a building is permitted provided the building contains uses that are permitted in the CR, MCR or Q district in which the building is located. (1994-0532)
3. A *crisis care facility* or a *residential care facility* are permitted provided:
 - (i) the use occupies the whole of a fully detached building;
 - (ii) the use is at least 245 metres from another *crisis care facility* or *residential care facility*; and
 - (iii) in the case of a *mixed-use building*, a *crisis care facility* occupies the whole of the residential portion of the building.(425-93)
4. A *rooming house* is permitted provided the aggregate number of *dwelling rooms* and *dwelling units* does not exceed 25. (425-93)
5. A *retail store* is permitted provided:
 - (i) the *non-residential gross floor area* for each *retail store* does not exceed 465 square metres; and
 - (ii) the total *non-residential gross floor area* used for one or more *retail stores*, *restaurants*, or *take-out restaurants* does not exceed 0.3 times the area of the lot.(425-93)
6. A *courier service* is permitted provided the *non-residential gross floor area* does not exceed 150 square metres. (425-93)

- 7 (a) (i) a *bake-shop, caterer's shop, club, concert hall, place of amusement, place of assembly, restaurant or take-out restaurant* are permitted uses and a *patio* may be provided in connection therewith except where, on any *lot* that abuts a *lot* in an R district or that is separated from a *lot* in an R district by a distance of less than 10 metres, no person shall use for the purposes of a *patio*:
- A. any portion of the *lot* located between the rear wall of a building containing any of those uses and the *rear lot line*; or
- B. any part of the roof of a building containing one of those uses. (1997-0595)
- (ii) A *restaurant or take-out restaurant* is permitted in a Q district, provided
- A. the *non-residential gross floor area* does not exceed 465 square metres; and
- B. the total *non-residential gross floor area* used for one or more *retail stores, restaurants or take-out restaurants* does not exceed 0.3 times the area of the *lot*. (425-93) (1996-0028)
- (b) A *restaurant or take-out restaurant* are permitted uses except where, on any *lot* that abuts a *lot* in an R district or that is separated from a *lot* in an R district by a *street* of 6.1 metres or less in width, no person shall use any building or portion of a building for the purpose of a *restaurant or take-out restaurant* or combination of them where the *non-residential gross floor area* of the building or portion thereof used for *restaurant or take-out restaurant* purposes exceeds 400 square metres (1996-0028)
- 8 The premises of a *charitable institution, non-profit institution* or other community or social agency are permitted uses provided they are used for the purpose of providing a community service such as, but not limited to, employment, immigration, counselling, welfare or legal services. (425-93)
9. A *printing plant* is permitted provided not more than 10 persons are employed. (425-93)
10. A government office is permitted provided it is on a *lot* within the *Central Core*. (425-93)
11. A *parking station* is a permitted use in a CR, MCR or Q district and a *commercial parking lot* is a permitted use in a CR or MCR district provided: (1994-0178)
- (i) in the case of a *parking station*, it is *accessory* to a use permitted in an R, CR, MCR or a Q district; (1994-0532)
- (ii) any lights used for illumination are so arranged as to divert the light away from adjacent premises;
- (iii) a *non-flexible guard rail or fence, or a wall* is erected along the portions of the boundary abutting a *street*, excluding the portions used for access;

- (iv) a fence of opaque construction, between 1.68 metres and 2 metres in height is erected on any boundary abutting a lot in an R district or a lot on which a dwelling unit is located
(425-93)
12. an automobile service and repair shop, automobile service station and motor vehicle repair shop, Class A are permitted uses, provided:
- (i) a fence of opaque construction not less than 1.68 metres and not exceeding 2.0 metres in height is erected on any boundary abutting a lot in a R district or a lot on which a building containing a dwelling unit is located;
 - (ii) a non-flexible guard rail, fence or wall not exceeding 0.9 metres in height is erected on any boundary abutting a street, excepting only any portion of the boundary used for access;
 - (iii) not more than twenty per cent (20%) of the outdoor surface area of the lot containing that use is used for storage, including a garbage storage and disposal area, and
 - (iv) where there is an outdoor storage area, it is enclosed by a fence not less than 1.68 metres and not exceeding 2.0 metres in height.
- (1997-0280)
13. A communications and broadcasting establishment, a laboratory, class A and a research and development institute are permitted uses provided they are affiliated with a university or hospital.
(425-93)
14. A live-work unit is a permitted residential use, provided the work component is restricted to the following uses or classifications: office, workshop, studio, personal grooming establishment or tailoring shop. (1994-0532)
15. A parking stacker is permitted, provided:
- (i) it is accessory, and
 - (ii) it is located within a building.
- (1994-0178)
16. Deleted by By-law 1994-0532.
17. to 27. inclusive, deleted by By-law 425-93

SECTION 8 - MIXED-USE DISTRICTS (CR, MCR and Q) (425-93)

(3) REGULATIONS APPLYING TO MIXED-USE DISTRICTS

PART I - DENSITY (425-93)

1. Maximum total density: T symbol

Subject to regulations 2 and 3 no person shall erect or use a *mixed-use building* on a *lot* in a CR, MCR or Q district where the combined *non-residential gross floor area* and *residential gross floor area* exceeds the product of the *lot* area multiplied by the number following the symbol T as shown on the District Map for the zone in which the *lot* is located. (1994-0178)

2. Maximum non-residential gross floor area: C symbol

No person shall erect or use a *non-residential building* or *mixed-use building* on a *lot* in a CR, MCR or Q district having a greater *non-residential gross floor area* than the product of the *lot* area multiplied by the number following the symbol C as shown on the District Map for the zone in which the *lot* is located. (1994-0178)

3. Maximum residential gross floor area and average unit size: R symbol

(a) No person shall erect or use a *residential building* or *mixed-use building* on a *lot* in a CR, MCR or Q district having a greater *residential gross floor area* than the product of the *lot* area multiplied by the number following the symbol R as shown on the District Map for the zone in which the *lot* is located.

(b) The average floor area of the *dwelling units*, as measured from the exterior walls of such units, in a *residential building* or *mixed-use building* shall be at least 50 square metres where the *lot* is in a CR, MCR or Q district and 100 or more *dwelling units* are erected or used.

(1994-0178)

4. Exception: Saving provision for buildings existing on a certain date

Notwithstanding regulations 1, 2 and 3, a building or structure on a *lot* in a CR, MCR or Q district that has a greater *non-residential gross floor area*, *residential gross floor area* or combination of the two, than permitted by those regulations, may be used for any purpose permitted in the district in which the *lot* is located, provided the *non-residential gross floor area*, *residential gross floor area* or the combined *non-residential gross floor area* and *residential gross floor area* of the building or structure, as the case may be, does not exceed the amounts lawfully on the *lot* on July 20, 1993. - (1994-0178)

- 5 Exception conversion of non-residential gross floor area to residential gross floor area
- Notwithstanding regulations 1, 2 and 3, where a building or structure lawfully erected on July 20, 1993 on a lot in a CR, MCR or Q district contains a greater *non-residential gross floor area*, *residential gross floor area* or combination of the two, than permitted by those regulations, any of the *non-residential gross floor area* existing on the lot on July 20, 1993 may be used for residential purposes permitted in the district in which the lot is located. (1994-0178)
- (1994-0129)
- 6 Exception: Buildings on designated property in MCR districts
- (a) Subject to paragraphs (b) and (c), a building in an MCR district which has been designated by the Corporation under Part IV of the Ontario Heritage Act, R.S.O. 1990, or a predecessor or successor thereof, may be used for any purpose permitted in such district without complying with the maximum *residential gross floor area* or *non-residential gross floor area* permitted by regulations 2 and 3(a), provided:
- (i) the density of the building as expressed by *residential gross floor area*, *non-residential gross floor area*, or a combination of the two, does not exceed the total amount existing within such building at the time of designation; and
- (ii) the building is subject to an easement agreement pursuant to the Ontario Heritage Act, R.S.O 1990, or a predecessor or successor thereof.
- (b) Where an addition or alteration to a building referred to in paragraph (a) increases the *non-residential gross floor area*, *residential gross floor area* or a combination of the two, the density of such building as expressed by *residential gross floor area*, *non-residential gross floor area* or a combination of the two, shall not exceed an amount equal to the product of the lot area multiplied by the number following the symbol T as shown on the District Map for the zone in which the lot is located.
- (c) Where an addition or alteration to a building referred to in paragraph (a) increases the *non-residential gross floor area*, *residential gross floor area* or a combination of the two, such addition or alteration, shall comply with:
- (i) the *non-residential gross floor area* permitted by regulation 2, and
- (ii) the *residential gross floor area* permitted by regulation 3(a).
- (1994-0178)

7. Calculation of Non-Residential Gross Floor Area: Pedestrian Walkways in Central Core

No other provision of section 8(3) Part I shall apply to prohibit the erection or use of a building or structure on a lot in a CR district in the *Central Core* having a greater *non-residential gross floor area* than that permitted by those regulations in a *non-residential building* or in a *mixed-use building* in the zone in which the lot is located provided the additional *non-residential gross floor area* is used for the purposes of:

- (a) one or more pedestrian walkways that:
 - i) provide direct access between *streets*, parks, public buildings, and/or public spaces or between such space and a similar walkway in an adjacent building, a *common outdoor space* or a Toronto Transit Commission subway station;
 - ii) are within two metres of *grade*;
 - iii) are no narrower than three metres at any point;
 - iv) are not used for commercial purposes, including *hotel lobbies*, retail areas, commercial display areas or other rentable space;
 - v) are located a minimum distance of 10 metres from any *street* that is within 20 degrees of parallel from the pedestrian walkway; and
 - vi) in the instance of a pedestrian walkway providing direct access between *streets*, public buildings or similar walkways in adjacent buildings, such pedestrian walkway shall be located at a minimum distance of 60 metres from any part of any other such pedestrian walkway.
- (b) one or more washrooms or sitting areas that have access to those walkways.

8. to 26. Deleted by By-law 425-93.

(1995-0492)

PART II - SETBACKS

1. Window separation

- (a) No person shall erect or use a *residential building* or a *mixed-use building* on a lot in a CR or Q district in which a window of a *dwelling unit* (other than a window of a kitchen or bathroom) or a window of a *dwelling room* in the building is closer than:
 - (i) 11 metres to a window of another *dwelling unit* (other than a window of a kitchen or bathroom) or a window of a *dwelling room* on the same lot, or
 - (ii) 5.5 metres to a wall, or to a lot line that is not a *street* line or that does not abut a *public park* or a UOS district. (1997-0275)

- (b) No person shall erect or use a *residential building* or a *mixed-use building* on a *lot* in an MCR district containing more than 5 *dwelling units* or *dwelling rooms* or combination thereof in which the main window of a *dwelling unit* or *dwelling room* in the building is closer than
- (i) 11 metres to the main window of another *dwelling unit* or *dwelling room* on the same *lot*; or
 - (ii) 5.5 metres to a wall, or to a *lot* line that is not a *street* line or that does not abut a *public park* or a UOS district (1997-0275)
- (c) The requirements of paragraphs (a)(i) and (b)(i) shall not apply to windows on walls which form an angle of 90 degrees or greater to each other, on a horizontal plane (1994-0532)
- (1994-0178)

2 Separation of buildings and structures from R district

- (a) No person shall, within a CR or Q district, erect or use a *non-residential building* or the non-residential portion of a *mixed-use building* or structure so that part of the building or structure above *grade*, is closer than three metres to a *lot* wholly within an R district other than an R4 and R4A district in the *Central Core*. (445-88) (425-93) (1994-0178) (1994-0532)
- (b) Paragraph (a) does not apply to an *accessory building* or structure that is four metres or less in *height*, measured from the natural or finished elevation of the ground, whichever is the lower

3 Separation of propane tank from R district

No person shall erect or use a tank for the storage of propane for sale at an *automobile service station* within 7.5 metres of an R district unless the tank is separated from the R district by an unpierced wall or fence of non-combustible construction having a *height* of 1.7 metres above the level of the ground adjoining the tank.

4 Separation from R or G district lots: Buildings or structures on MCR lots

- (a) Subject to paragraphs (b) and (d), no person shall erect a building or structure on a *lot* in an MCR district unless the building or structure is set back a minimum distance of 7.5 metres from any *lot* or portion of any *lot* in an R or G district. (1994-0532)
- (b) The setback requirement set out in paragraph (a) shall not apply if the *lot* or portion of the *lot* in the R or G district abuts the *side lot line* of the *lot* in the MCR district.

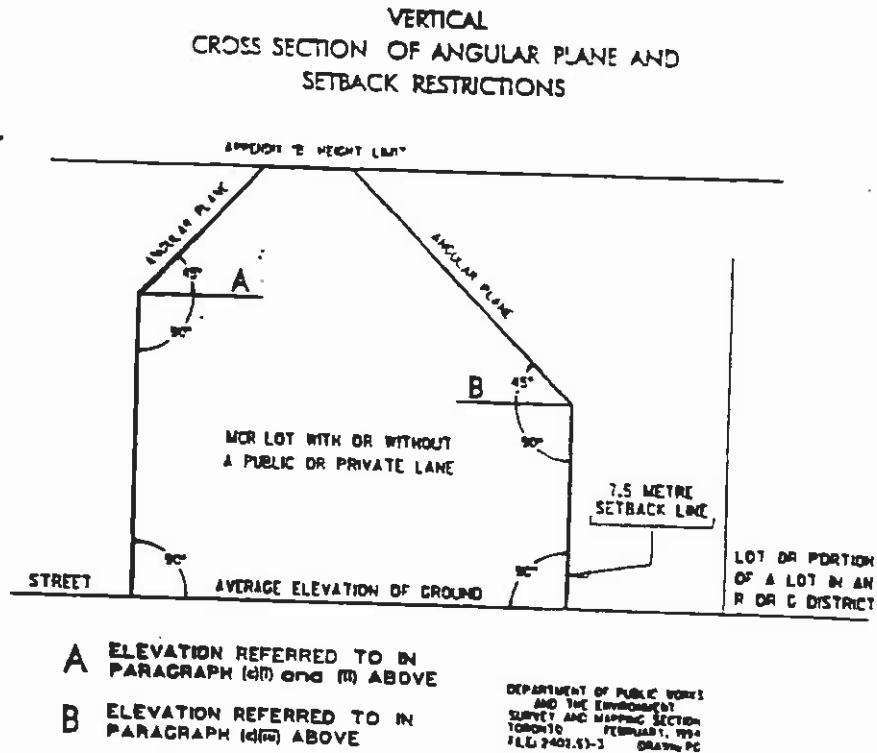
For the purpose of this paragraph, the expression "*side lot line*" means a *lot* line that runs, generally, perpendicular to the *lot* line abutting a *street* (excluding any lane). And in the case of a *lot* abutting two or more *streets* (excluding any lanes), a *lot* line that runs, generally, perpendicular to the *lot* line abutting the *street* with the widest street allowance or widest vehicular roadway.

(1997-0422)

- (c) Subject to paragraph (d), no person shall erect a building or structure on a lot in an MCR district unless: (1994-0532)
- (i) in the case of a building on a lot having a height limit of less than 18 metres, as designated on the Appendix "B" maps, the building or structure is contained within 45 degree angular planes projected over the lot from the lot lines which abut a street (other than a lane), at an elevation of 13 metres above the average elevation of the ground directly above such lot line ; (1997-0422)
 - (ii) in the case of a building on a lot having a height limit of 18 metres or more, as designated on the Appendix "B" maps, the building or structure is contained within 45 degree angular planes projected over the lot from the lot lines which abut a street (other than a lane), at an elevation of 16 metres above the average elevation of the ground directly above such lot line ; and (1997-0422)
 - (iii) the building or structure is contained within 45 degree angular planes projected over the lot from the setback required by paragraph (a), at an elevation of 10 metres above the average elevation of the ground directly above such setback.

as shown on the following diagram.

(1994-0178)



- (d) The requirements of paragraphs (a) and (c) shall not apply to the following structures:
- (i) roof deck fences or safety railings not exceeding a height of 1.5 metres above such roof,
 - (ii) division fences not exceeding 2 metres above the level of the ground; (1997-0422)
 - (iii) ground floor level decks not exceeding 1.2 metres above the level of the ground, including fences or safety railings not exceeding 1.5 metres above the deck floor. (1994-0532)
- (1994-0178)
- (iv) an *accessory* building or structure not exceeding 10 square metres; or (1994-0532)
 - (v) a parking facility not exceeding 4 metres above the level of the ground, provided it is separated from the *lot* in the R or G district by a public lane. (1994-0532)

5. Deleted by By-law 425-93.

PART III - OPEN SPACE

1. Common outdoor space: non-residential and mixed-use buildings (425-93)
- (a) No person shall erect or use a *non-residential building* or a *mixed-use building* on a *lot* in a CR or Q district in the *Central Core* having one or more *frontages* exceeding 12 metres in length, if the *lot* has less *common outdoor space* than the amount required by the following table (425-93)

<u>Number of Frontages of the Lot That Exceed 12 Metres in Length</u>	<u>Common Outdoor Space Requirement</u>
One	1.5% of the <i>non-residential gross floor area</i> in the building or structure or 4.5% of the area of the <i>lot</i> , whichever is less
Two	3.0% of the <i>non-residential gross floor area</i> in the building or structure or 9.0% of the area of the <i>lot</i> , whichever is less
Three	4.5% of the <i>non-residential gross floor area</i> in the building or structure or 13.5% of the area of the <i>lot</i> , whichever is less
Four or More	6.0% of the <i>non-residential gross floor area</i> in the building or structure or 18% of the area of the <i>lot</i> , whichever is less

- (b) Paragraph (a) does not prevent the erection or use of a building or structure on a *lot* in a CR district in the *Central Core* having less *common outdoor space* than the amount required by paragraph (a), where:
- (i) the *non-residential gross floor area* of the building or structure to be erected on the *lot* is less than 625 square metres;
 - (ii) the *lot* contains a building the *grade level storey* of which had a floor area greater than 75 per cent of the area of the *lot* on the day of passing By-law 35-76; or
 - (iii) the building or structure was erected before the passing of By-law 35-76.

(425-93)

PART IV - PARKING

1. No person shall in a CR or MCR district, use any portion of a *lot* located beyond the main front wall¹ of a building, at or above the natural level of the ground, for the purpose of parking or storing a motor vehicle. (425-93) (1994-0178)
2. No person shall on a *corner lot* in an MCR district, where such *corner lot* abuts a *lot* in a G or R district, use any portion of the *lot* that is closer than 7.5 metres from such R or G *lot*, for the purpose of a parking facility, exclusive of driveways (1994-0178)

PART V - LOADING/STORAGE

none

PART VI - PORCHES/ADDITIONS

1. Deleted by By-law 425-93.

¹ Technical amendment is required to italicize "front wall".

PART VII - MINIMUM LOT FRONTAGE AND/OR LOT SIZE

1. Minimum lot frontage: certain types of buildings

No person shall erect or use a:

detached house;
semi-detached house
row house;
duplex;
triplex;
semi-detached duplex;
semi-detached triplex;
rowplex;
converted house;
rooming house;
converted dwelling and rooming house; or
apartment building.

on a lot in a CR, MCR or Q district, having a lesser lot frontage than: (1994-0178)

- (i) the minimum lot frontage in metres for the residential building type as shown on the Height And Minimum Lot Frontage Map for the minimum lot frontage district in which the lot is located; or
- (ii) 6 metres if a minimum lot frontage is not specified for the lot or for the residential building type on a Height And Minimum Lot Frontage Map.

This regulation does not apply to a lot having a lot frontage less than that prescribed for it and the residential building type erected thereon if a conveyance of the lot was registered on or before October 17, 1988; and (425-93)

- (iii) the lot complies with any other applicable restricted area or zoning by-law passed by the Corporation imposing a minimum lot frontage on or before October 17, 1988; and (425-93)
- (iv) the residential building existing on the lot on October 17, 1988 remains erected on the lot.

(909-88)

2. Deleted by By-law 909-88.

PART VIII - FRONTING OF BUILDINGS

1. CR, MCR or Q non-residential buildings or structures: CR, MCR or Q districts: frontage on lane, alley, driveway, or right-of-way (1994-0178)

Where either limit of a public or private lane, alley, driveway or right-of-way constitutes the boundary or part of the boundary between a CR, MCR or Q district and an R district, no person shall, in the CR, MCR or Q district, use land or erect or use a building or structure on land that fronts on the lane, alley, driveway or right-of-way for a non-residential use permitted in a CR, MCR or Q district if the only means of access to the land is by the lane, alley, driveway or right-of-way. (1994-0178)

PART IX - CONVEYANCE UNDER PLANNING ACT, 1990 (425-93)

none

PART X - SIGNS

none

PART XI - EXCEPTIONS TO PERMITTED USES: RESTRICTIONS ON USE

1. Restrictions on CR or MCR buildings and structures and non-residential uses: flankage adjoining R district or separated by less than 12 metre street: CR or MCR district (1994-0178)

Where a CR or MCR district, or a portion thereof, fronts on one *street* and has a flankage on another *street*, and the flankage either adjoins an R district or is separated therefrom by a *street* less than 12 metres in width, no person shall: (1994-0178)

- (i) on a *lot* in the CR or MCR district, erect or use a CR or MCR building or structure fronting on or gaining an entrance from the flanking *street*, except a service entrance, an entrance to a residential portion of the building or structure or an entrance or exit required by the Ontario Building Code, or (1994-0178)
- (ii) use the *lot* for a non-residential use in a CR or MCR building that gains an entrance from the flanking *street*. (1994-0178)

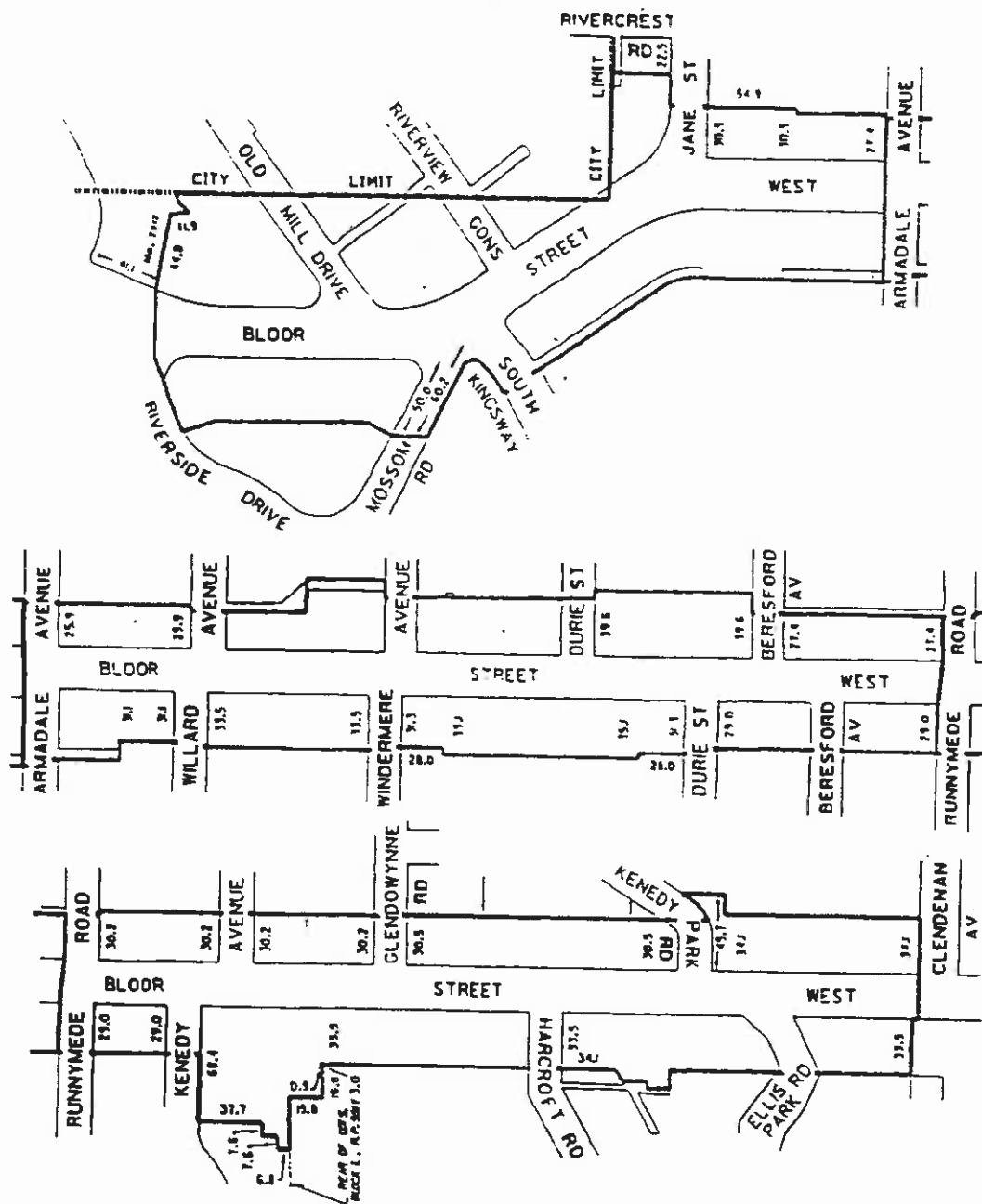
For the purpose of determining the flankage of a CR or MCR district, or portion thereof, the boundary of the CR or MCR district, or portion of the CR or MCR district, that abuts a *street* and also adjoins an R district or is separated therefrom by a *street* less than 12 metres in width is deemed to be the flankage. (1994-0178)

This regulation does not apply to a *lot* in the *Central Core* south of Bloor Street East and Bloor Street West.

(425-93)

2. No person shall on any lot in a CR or MCR district erect or use any building or any portion thereof for any commercial use unless: (1994-0178)
- (i) the main floor is located within 0.2 metres of the sidewalk level directly opposite the door to every commercial unit, except for an *automobile service station* of a *non-residential gross floor area* of less than 20 square metres; (218-1999)
 - (ii) the main floor level has a depth of not less than 7.5 metres measured from the main front wall of the building and a width of at least 60% of any *street frontage* of the building, except for an *automobile service station* of a *non-residential gross floor area* of less than 20 square metres; and (218-1999)
 - (iii) all exterior entrance doors, other than service entrance doors, which provide access to a commercial use within the building, shall be directly accessible from the public sidewalk by a level surface or a ramp not exceeding a gradient of 1 in 25 (4%) (425-93)
- (1997-0422)
3. and 4. Deleted by By-law 425-93.

SCHEDULE "C" APPEALS TO THE ONTARIO MUNICIPAL BOARD



LANDS UNDER APPEAL WITH RESPECT TO
 SECTION 8(3) PART 1 5



PUBLIC WORKS AND THE ENVIRONMENT
 ENGINEERING AND SURVEYS
 TORONTO APRIL, 1999
 SECTION/S8315.DCW DRAWN: M.G.R.
 FILE: 2402.53-3
 MAP Nos. 46H-323, 47H-321 & 322,
 47J-311 & 312