



The new City-wide Zoning By-law 569-2013 was enacted on May 9, 2013. It has been appealed under section 34(19) of the Planning Act. Even though it is under appeal, the City's Chief Building Official and the Committee of Adjustment will apply the new By-law to applications filed after its enactment. Please consult with your advisors to determine whether the new by-law has any impact. Amendments to By-law 569-2013 have been incorporated into this [office consolidation](#). The original by-law and its amendments are with the City Clerk's office.

Zoning By-law No. 569-2013, as amended (office consolidation), is available in PDF format from the [Zoning By-law 569-2013 homepage](#)

City of Toronto Zoning By-law 569-2013, as amended (Office Consolidation)

Version Date: July 31, 2023 - Including City-wide Amendments up to April 1, 2024

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	<u>Exemptions</u>	Personal Service Shop
40.10.20.100	<u>Conditions</u>	Pet Services
40.10.30	<u>Lot</u>	Police Station
	<u>Requirements</u>	Post-Secondary School
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40.10.30.21	<u>Lot Frontage</u>	Software Development and Processing
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40.10.30.40	<u>Lot Coverage</u>	Wellness Centre [By-law: 1198-2019]
40.10.30.41	<u>Lot Coverage</u>	(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):
	<u>Exemptions</u>	
40.10.40	<u>Principal</u>	Dwelling Unit in a permitted building type in Clause 40.10.20.40
	<u>Building</u>	Hospice Care Home
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40.10.40.1	<u>General</u>	Nursing Home
40.10.40.10	<u>Height</u>	Religious Residence
40.10.40.11	<u>Height</u>	Residential Care Home
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40.10.40.40	<u>Floor Area</u>	Retirement Home
40.10.40.41	<u>Floor Area</u>	Student Residence
	<u>Exemptions</u>	[By-law: 545-2019]
40.10.40.50	<u>Decks,</u>	
	<u>Platforms and</u>	40.10.20.20 Permitted Use - with Conditions
	<u>Amenities</u>	(1) <u>Use with Conditions - CR Zone</u>
40.10.40.51	<u>Decks,</u>	(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:
	<u>Platforms and</u>	
	<u>Amenities</u>	Amusement Arcade (23, 47)
	<u>Exemptions</u>	Cabaret (1)
40.10.40.60	<u>Permitted</u>	Club (1)
	<u>Encroachments</u>	Cogeneration Energy (56)
40.10.40.70	<u>Setbacks</u>	Custom Workshop (16)
40.10.40.71	<u>Setbacks</u>	Day Nursery (27)
	<u>Exemptions</u>	Drive Through Facility (37)
40.10.40.80	<u>Separation</u>	Eating Establishment (1,33)
40.10.40.81	<u>Separation</u>	Entertainment Place of Assembly (1, 46)
	<u>Exemptions</u>	Funeral Home (24)
40.10.50	<u>Yards</u>	Hotel (4)
40.10.50.10	<u>Landscaping</u>	Laboratory (15)
40.10.50.11	<u>Landscaping</u>	Nightclub (2)
	<u>Exemptions</u>	Outdoor Patio (21)
40.10.80	<u>Parking</u>	Outdoor Sales or Display (20)
40.10.80.10	<u>Location</u>	Place of Assembly (1, 29)
40.10.80.20	<u>Setbacks</u>	Place of Worship (40)
40.10.90	<u>Loading</u>	Private School (28)
40.10.90.1	<u>General</u>	Public Parking (7,8,9,10,11)
40.10.90.10	<u>Location</u>	Public School (28)
		Public Utility (54,57)
		Recreation Use (1, 46)
		Renewable Energy (56)
		Retail Service (17)
		Retail Store (5)
		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) [By-law 607-2015] [By-law 1198-2019] [By-law: 451-2022]
		(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:

40.10.90.11	Location Exemptions
40.10.90.40	Access to Loading Space
40.10.90.41	Access to Loading Space Exemptions
40.10.100	Access to Lot
40.10.100.10	Location
40.10.100.11	Location Exemptions
40.10.150	Waste
40.10.150.1	General
Chapter 50	Commercial Residential Employment
Chapter 60	Employment Industrial
Chapter 80	Institutional
Chapter 90	Open Space
Chapter 100	Utility and Transportation
Chapter 150	Specific Use Regulations
Chapter 200	Parking Space Regulations
Chapter 220	Loading Space Regulations
Chapter 230	Bicycle Parking Space Regulations
Chapter 280	Special Districts - Downtown
Chapter 300	Special Districts - Centres
Chapter 400	Special Districts - Avenues
Chapter 500	Special Districts - Heritage
Chapter 600	Regulations for Overlay Zones
Chapter 800	Definitions
Chapter 900	Site Specific Exceptions
Chapter 970	Appendices

Crisis Care Shelter (43)
Group Home (30)
Home Occupation (45)
Multi-tenant House (48)
Private Home Daycare (44)
Secondary Suite (58)
Seniors Community House (42)
Short-term Rental (3)
Tourist Home (22)
[By-law: 607-2015]
[By-law 1453-2017]
[By-law: 545-2019] [By-law: 156-2023]

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 Areas Overlay Map. [By-law: 1268-2023]

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 a **lawfully existing 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. [By-law: 1774-2019] [By-law: 1268-2023]

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) the **interior floor area** used for items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I); and [By-law: 1774-2019]
 - (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

Chapter 990 [Zoning By-law Map](#)

Chapter 995 [Overlay Maps](#)

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]

(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) [Retail Store with Beverage Manufacturing Use for Beer, Cider or Wine](#)

In the CR zone, a **retail store** may include a beverage **manufacturing use** for beer, cider or wine, if the **interior floor area** of the **retail store**, including the beverage **manufacturing use**, does not exceed 400.0 square metres. [By-law: 1198-2019]

(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 items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [By-law: 1774-2019]

(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 items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [By-law: 1774-2019]

(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 items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [By-law: 1774-2019]

(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 items listed in regulations 40.5.40.40(1) (A) to (G) and 40.5.40.40(3) (A) to (I). [By-law: 1774-2019]

(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 be located on the same **lot** or an abutting **lot** that permits an **outdoor patio**:
 - (i) **Amusement Arcade**;
 - (ii) **Cabaret**;
 - (iii) **Club**;
 - (iv) **Eating Establishment**;
 - (v) **Entertainment Place of Assembly**;
 - (vi) **Nightclub**;
 - (vii) **Place of Assembly**;
 - (viii) **Recreation Use**;
 - (ix) **Retail Store**;
 - (x) **Sports Place of Assembly**; and
 - (xi) **Take-out Eating Establishment**. [By-law: 1153-2023]
- (B) the permitted maximum area of an **outdoor patio** is the greater of:
 - (i) 50.0 square metres; or
 - (ii) 50 percent of the **interior floor area** of the **premises** it is combined with. [By-law: 1153-2023]
- (C) an **outdoor patio** may be used to provide entertainment such as performances, music and dancing, provided the **outdoor patio** is not located above the first **storey**

of the **building** and the entertainment area does not exceed the greater of 10 percent of the **outdoor patio** area or 5.0 square metres; and [By-law: 1153-2023]

(D) an **outdoor patio** must be set back at least:

- (i) 10.0 metres from a **lot** in the Residential Zone Category or Residential Apartment Zone Category if it is on a **lot** subject to Development Standard Set 1 (SS1) or Development Standard Set 2 (SS2); or
- (ii) 30.0 metres from a **lot** in the Residential Zone Category or Residential Apartment Zone Category if it is on a **lot** subject to Development Standard Set 3 (SS3). [By-law: 1153-2023]

(E) despite regulation (D) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres:

- (l) 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.

(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) Multi-tenant House

A **multi-tenant house** in the CR zone must comply with the specific use regulations in Section 150.25. [By-law: 156-2023]

(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 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]

(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) Transportation Use Along Eglinton Avenue West and Eglinton Avenue East

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:

- (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, or if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category by a **lane**, no **building** or **structure** 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 [By-law: 607-2015]
- (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:

Width of street right-of-way	Lot depth
(column A)	(column B)
20 metres	32.6 metres
23 metres	36.2 metres
27 metres	41.0 metres
30 metres	44.6 metres
33 metres	48.2 metres
36 metres	51.8 metres

(iii) the specified height above the required **rear yard setback** at which the **angular plane** is measured, must be taken from the average elevation of 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;

(G) the **building** may not penetrate a 45 degrees **angular plane**, measured at a line parallel to and at a height above a **lot line** that abuts a **street** and is not a **rear lot line**, equal to 80% of the width of the **street** right-of-way on which the **lot** fronts;

(H) if a **lot** has two or more **lot lines** that abut a **street**, then the **lot line** abutting the **street** with the widest **street** right-of-way is the **lot line** to which regulation 40.10.40.70(2)(G) applies; and

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

(3) Development Standard Set 3 - Building Setbacks

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, or if a **lot** is separated from a **lot** in the O, ON or OR zone or the Residential Zone category or Residential Apartment Zone category by a **lane**, no **building** or **structure** 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 [By-law: 607-2015]

(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:

Width of street right-of-way	Lot depth
(column A)	(column B)

20 metres	32.6 metres
23 metres	36.2 metres
27 metres	41.0 metres
30 metres	44.6 metres
33 metres	48.2 metres
36 metres	51.8 metres

- (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) 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**. [By-law: 1774-2019]

(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 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 a **loading space** 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 a **loading space** must be from the **street** which is not a major **street**. [By-law: 607-2015]

(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]

40.10.100 Access to Lot

40.10.100.10 Location

(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](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]

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**.