

ALL BUYERS MUST DO THEIR OWN DUE DILLIGENCE AND CONFIRM USE

60.20.20 Permitted Uses

60.20.20.1 General

(1) Lawfully Existing Place of Worship

In the E zone, a **lawfully existing place of worship** is permitted if it is on a **lot** with a **front lot line** or **side lot line** abutting a major **street** on the Policy Area Overlay Map; and

- (A) any expansion or addition to the **place of worship building** must comply with Section 150.50 and the requirements for the E zone; and
- (B) it may be replaced with a new **place of worship building** if it complies with Section 150.50 and the requirements for the E zone.

(2) Sorting Activities in an Enclosed Building

In the E zone, the separating or sorting of **recyclable materials** must take place within a wholly enclosed **building**.

60.20.20.10 Permitted Use

(1) Use - E Zone

In the E zone, the following uses are permitted:

Ambulance Depot
Animal Shelter
Artist Studio
Automated Banking Machine
Bindery
Building Supply Yards
Carpenter's Shop
Cold Storage
Contractor's Establishment
Custom Workshop
Financial Institution
Fire Hall
Industrial Sales and Service Use
Kennel
Laboratory
Office
Park
Performing Arts Studio
Pet Services
Police Station
Printing Establishment
Production Studio
Public Works Yard
Service Shop
Software Development and Processing
Warehouse
Wholesaling Use [By-law: OMB PL130592]

60.20.20.20 Permitted Use - with Conditions

(1) Use with Conditions - E Zone

In the E zone, the following uses are permitted if they comply with the specific conditions associated with the reference number(s) for each use in Clause 60.20.20.100:

Body Rub Service (32)
Cogeneration Energy (26)
Crematorium (33)
Drive Through Facility (5,21)
Eating Establishment (1,19,30)
Marihuana production facility (2)
Metal Factory involving Forging and Stamping (25)
Open Storage (10)
Outdoor Patio (9)
Public Utility (27,29)
Recovery Facility (8)
Recreation Use (7)
Renewable Energy (26)
Retail Service (3)
Retail Store (4,30)
Shipping Terminal (11)
Take-out Eating Establishment (1,30)
Transportation Use (28)
Vehicle Depot (6)
Vehicle Fuel Station (16,30)
Vehicle Repair Shop (23)
Vehicle Service Shop (17,31)
Vehicle Washing Establishment (18)
[By-law: 0403-2014] [By-law: 1124-2018] [By-law: 1198-2019]

60.20.20.100 Conditions

(1) Eating Establishment and Take-out Eating Establishment

In the E zone, the total **interior floor area** of all **eating establishments** and **take-out eating establishments** on a **lot** may not exceed 500.0 square metres. [By-law: 1198-2019]

(2) Medical Marihuana Production Facility

In the E zone, a **medical marihuana production facility** must comply with the specific use regulations in Section 150.60.
[By-law: 0403-2014]

(2) Marihuana Production Facility

In the E zone, a **marihuana production facility** must comply with the specific use regulations in Section 150.60.
[By-law: 0403-2014] [By-law: 1124-2018]

(3) Retail Service

In the E zone, the total **interior floor area** of **retail services** on a **lot** may not exceed the greater of:

- (A) 300.0 square metres: or
- (B) 10 percent of the **gross floor area** of the **buildings** on the **lot** to a maximum of 500.0 square metres.
[By-law: 1198-2019]

(4) Retail Store - together with Manufacturing Use

In the E zone, a **retail store**:

- (A) must be associated with a permitted **manufacturing use** on the same **lot**; and
- (B) the total **interior floor area** of all **retail stores** on a **lot** may not exceed 20 percent of the **gross floor area** of the permitted **manufacturing use**. [By-law: 1198-2019]

(5) Drive Through Facility

In the E zone, a **drive through facility** must be on a **lot** that fronts on a major **street** on the Policy Areas Overlay Map.

(6) Vehicle Depot

In the E zone, a **vehicle depot** must be on a **lot** that is at least 70 metres from a **lot** in the Residential Zone category or the Residential Apartment Zone category.

(7) Recreation Use

In the E zone, a **recreation use** must be on a **lot** that fronts a major **street** on the Policy Areas Overlay Map.

(8) Recovery Facility

In the E zone, a **recovery facility**:

(A) may not be:

- (i) an asphalt **recovery facility**;
- (ii) a concrete **recovery facility**;
- (iii) a heavy metal **recovery facility** (arsenic, lead, mercury and cadmium);
- (iv) a hazardous chemical **recovery facility**;
- (v) a petrochemical **recovery facility**;
- (vi) an industrial gas **recovery facility**;
- (vii) a rubber **recovery facility**; and
- (viii) an asbestos **recovery facility**;

(B) must be located at least 70.0 metres from a **lot** in the Residential Zone category or the Residential Apartment Zone category; and

(C) the separating or sorting of materials must be within a wholly enclosed **building**.

(9) Outdoor Patio

In the E zone, an **outdoor patio**:

(A) must be combined with one of the following uses and located on the same **lot** or abutting **lot** that permits an **outdoor patio**:

- (i) **Eating Establishment**;
- (ii) **Retail Store**; and
- (iii) **Take-out Eating Establishment**.

(B) must be no closer to a **lot line** than the required minimum **rear yard setback** or **side yard setback** for a **building**;

(C) may not be located on land required for **loading spaces**, **driveways**, or **landscaping**;

(D) may have a maximum area that 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.

(E) may be used to provide entertainment such as performances, music and dancing, if it is located on a **lot** abutting a major **street** on the Policy Areas Overlay Map, and 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;

(F) must be set back at least 30.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category;

(G) despite regulation (F) above, an **outdoor patio** located above the first **storey** of the **building**, must be at least 40.0 metres, measured horizontally, from a **lot** in the Residential Zone category or Residential Apartment Zone category;

(H) in the **rear yard** of a **lot** that abuts a **lot** in the Residential Zone category or Residential Apartment Zone category the **outdoor patio** must have a fence installed along the portion of the **outdoor patio** parallel to the **rear lot line**;

(I) if a **lawfully existing outdoor patio** is closer to a **lot** than required in (F) or (G) 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**; and

(J) is not permitted on a **lot** located in the area bounded by Laird Avenue on the west, Vanderhoof Avenue and the Don River to the north, Don Mills Road to the east and Overlea Boulevard to the south. [By-law: 1198-2019]. [By-law: 1153-2023]

(10) Open Storage

In the E zone:

(A) **open storage**:

- (i) must be associated with a permitted use other than a **recovery facility**;
- (ii) may not be located in a yard that abuts a **lot** in the Residential Zone category or the Residential Apartment Zone category;
- (iii) may not be in the **front yard**;
- (iv) must be a minimum of 7.5 metres from any **lot line**;
- (v) must be less than 30% of the **lot area**;
- (vi) may be no higher than the permitted maximum height of a **building** on the **lot**; and
- (vii) must be enclosed by a fence; and

(B) **open storage** may be for **recyclable material** and waste.

(11) Shipping Terminal

In the E zone, a **shipping terminal** must be on a **lot** that is at least 70.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category.

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

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

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

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

(16) Vehicle Fuel Station

In the E zone, a **vehicle fuel station** must comply with the specific use regulations in Section 150.92.

(17) Vehicle Service Shop

In the E zone, a **vehicle service shop** must comply with the specific use regulations in Section 150.94.

(18) Vehicle Washing Establishment

In the E zone, a **vehicle washing establishment** must comply with the specific use regulations in Section 150.96.

(19) Eating Establishment

In the E zone, an **eating establishment** must comply with the specific use regulations in Section 150.100.

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

(21) Drive Through Facility

In the E zone, a **drive through facility** must comply with the specific use regulations in Section 150.80.

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

(23) Vehicle Repair Shop

In the E zone, a **vehicle repair shop** must be on a **lot** that is at least 100.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category.

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

(25) Metal Factory involving Forging and Stamping

In the E zone, a metal factory that involves forging or stamping of metal must be on a **lot** that is at least 70.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category.

(26) Renewable Energy Production or Cogeneration Energy Production

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

(27) Public Utility

In the E zone, a **public utility** may not be a sewage treatment plant.

(28) Transportation Use

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

(29) Public Utility

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

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

(30) Retail Store and Eating Establishment together with Vehicle Fuel Station

In the E zone:

(A) a **retail store** on a lot with a **vehicle fuel station** is subject to the following:

- (i) the **retail store** must be a convenience store;
- (ii) the **interior floor area** of the **vehicle fuel station, retail store, eating establishment** or **take-out eating establishment** may not exceed 300 square metres; and
- (iii) the convenience **retail store** may remain on the **lot** as long as the **vehicle fuel station** use exists; and

(B) For the purposes of regulation (A) above, a convenience store is **premises** where products such as engine oil, washer fluid, road salt, packaged or canned food products, newspapers and magazines are sold.

(31) Vehicle Service Shop - Open Storage

In the E zone, a **vehicle service shop** may have **open storage** if it is:

- (A) less than 20% of the area of the **lot** that is not covered by wholly enclosed **buildings**; and
- (B) enclosed by a fence.

(32) Body Rub Service - Separation Distance

In the E zone, a **lot** that has a **body rub service** must be:

- (A) at least 100.0 metres from a **lot** in the Residential Zone category or Residential Apartment Zone category; and

- (B) at least 500 metres from a **lot** with a **public school**, **private school**, or **place of worship**, or a **lot** in a **IS zone** or **IPW zone**; and
- (C) at least 500 metres from a **lot** that has an **adult entertainment** use or 100 metres from a **lot** that has a **body rub service**.

(33) Crematorium

In the E zone, a **crematorium** must be a minimum of 300 metres from a **lot** that is not in the EL, E, EH or UT zone.