15.1 Exception Zone 1 (By-law 300-75)

1. Definitions

   a) "Coverage" shall mean the percentage of lot area covered by all buildings, including garages.

   b) "Dwelling" shall mean one or more rooms, occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Landscaped Open Space" shall mean that percentage of the lot area not covered by buildings, driveways and parking spaces.

   d) "Residential-Multiple" shall mean a building divided vertically into 3 or more dwelling units, each having independent external entrances at grade level of the building.

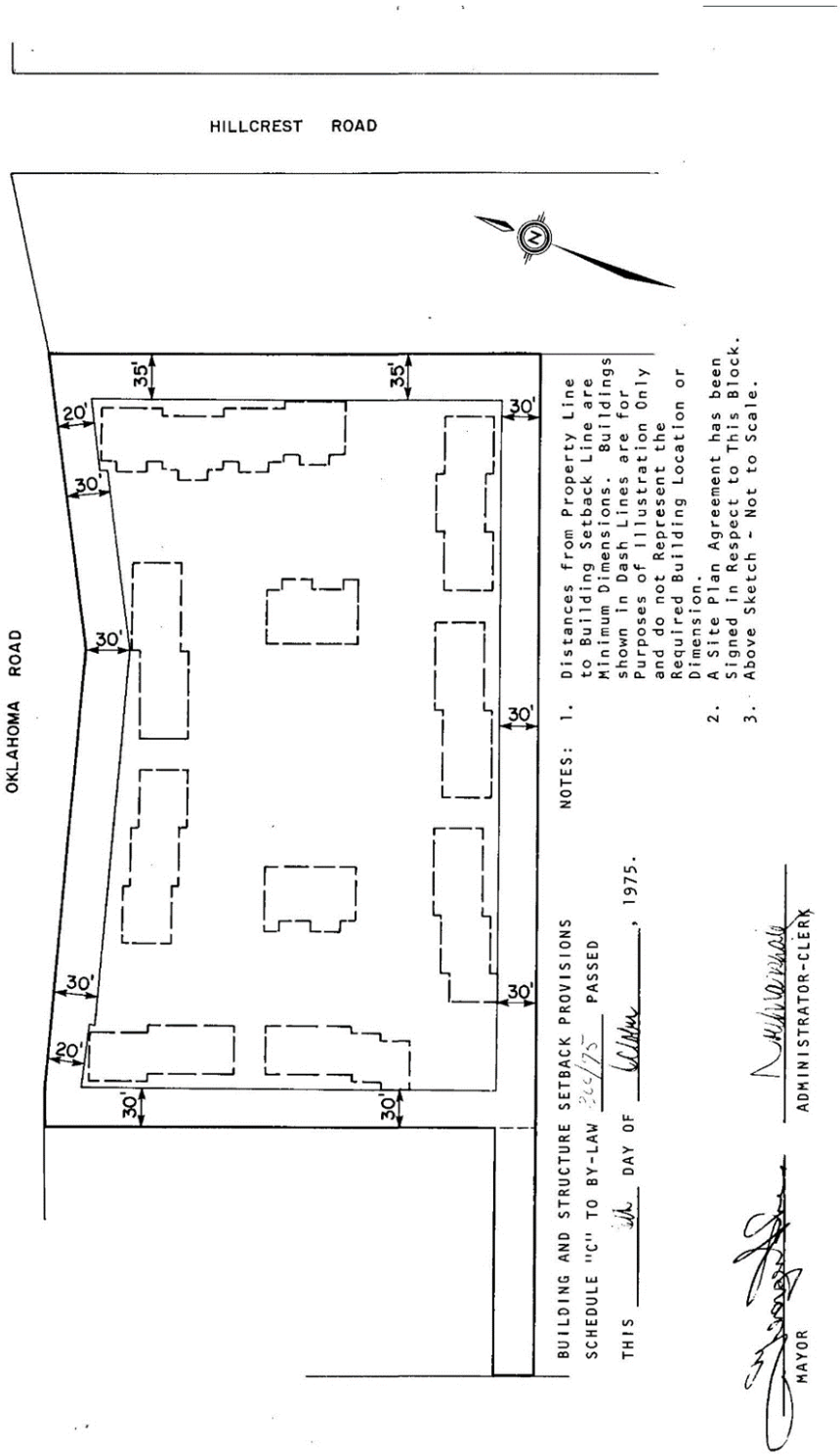
   e) "Private Garage" shall mean an enclosed structure for the storage of one or more vehicles, in which no business, occupation or service is conducted for profit.

   f) "Storey" shall mean that portion of a building (including a basement which is less than 50% below ground level) between the surface of any floor and the surface of the floor, roof deck or ridge above it. This shall not include a cellar or attic.

2. Provisions

ZONE	Residential- Multiple
SYMBOL	M15
UNIT BREAKDOWN	Maximum number of four-bedroom units - 50% of total units. Units exceeding four bedrooms not permitted.
MAXIMUM DENSITY	38 units per hectare to the nearest full unit
MINIMUM LANDSCAPED OPEN SPACE	50%
MAXIMUM COVERAGE	30%
MAXIMUM HEIGHT	3 storey
SETBACK	as per Figure 1
MINIMUM FLOOR AREA	95 sq.m. for three-bedroom units 110 sq.m. for four- bedroom units
MINIMUM PARKING REQUIREMENTS	1 private garage parking space plus 1 driveway parking space per unit

3. Figure 1


HILLCREST ROAD
OKLAHOMA ROAD
N
35'
35'
20'
30'
30'
30'
30'
30'
30'
20'
30'
30'
BUILDING AND STRUCTURE SETBACK PROVISIONS
SCHEDULE "C" TO BY-LAW 26/75 PASSED
THIS 16th DAY OF December, 1975.
MAYOR
ADMINISTRATOR-CLERK
NOTES: 1. Distances from Property Line to Building Setback Line are Minimum Dimensions. Buildings shown in Dash Lines are for Purposes of Illustration Only and do not Represent the Required Building Location or Dimension.
2. A Site Plan Agreement has been Signed in Respect to This Block.
3. Above Sketch - Not to Scale.

15.2 Exception Zone 2 (By-law 7624-18)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

b) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

c) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

d) “Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

f) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

h) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

i) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

j) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

k) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

l) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

m) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

n) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

o) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

p) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

q) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

r) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

s) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

t) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions

a) Uses Permitted (“OS” Zone)

No person shall within the lands zoned “OS”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife; and

ii. resource management

b) Uses Permitted (“S4-14” Zone)

No person shall within the lands zoned “S4-14”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Detached Dwelling

c) Zone Requirements (“S4-14” Zone)

No person shall within the lands zoned “S4-14”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

		“S4-14” Zone
(a)	Lot Frontage (minimum)	10.5 metres
(b)	Lot Area (minimum)	300 square metres
(c)	Front Yard Depth (minimum)	6.0 metres
(d)	Side Yard Depth (minimum)	1.2 metres one side, and 0.6 of a metre on the other side
(e)	Flankage Yard Depth (minimum)	2.7 metres
(f)	Rear Yard Depth (minimum)	(i) 7.0 metres (ii) Despite 2(c)(f)(i) above, lots 40 metres or greater in depth, - 10.0 metres
(g)	Building Height (maximum)	10.0 metres
(h)	Lot Coverage (maximum)	(i) 45 percent (ii) Despite 2(c)(h)(i) above, lots 40 metres or greater in depth – 35 percent
(i)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit for resident, one of which must be provided within an attached private garage.
(j)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of the private garage.
(k)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from

		“S4-14” Zone
		the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.
(l)	Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided; however, the width may include one interior step and the depth may include two interior steps.
(m)	Garage Projection	A maximum 2.0 metres projection beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

3. Special Provisions

The following special provisions shall apply to lands zoned “S4-14”:

a) Obstruction of Yards (maximum):

i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.5 metres in height above established grade may encroach a maximum of 2.0 metres into the minimum required front or flankage yard;

ii. uncovered balconies, decks and associated stairs, not exceeding 1.5 metres in height above grade may encroach a maximum of 4.0 metres into the required rear yard, provided they are setback 0.6 metres from a side lot line;

iii. balconies located above the first floor projecting or inset in the rear are prohibited;

iv. bay, box or bow window, with or without foundation, having a width of up to 4.0 metres may encroach a maximum of 0.6 metres into any required yard; and

v. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features are permitted to project a maximum of 0.6 metres into any required yard and are required to be setback 0.6 metres from a side lot line.

4. Model Homes

a) Despite the provisions of Clause 6.1 of By-law 2511, a maximum of 2 model homes, together with not fewer than two parking spaces per Model Home, may be constructed on the lands subject to this By law prior to the division of those lands by registrations of a plan of subdivision or enacting a by-law exempting those lands from the Part Lot Control provisions of the Planning Act.

b) For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

15.3 Exception Zone 3 (By-law 3981-71)

1. Notwithstanding the provisions of Sections 18.1 and 18.2 of By-law 2511, a combined restaurant and tavern, having; a minimum southerly side yard setback of 3.3 metres may be constructed and operated on that part of Lot 19 Range 3 of the Township of Pickering designated as “M2S (SPECIFIC)" on the lands subject to this exception in addition to the uses set out in said Section 18.1.

15.4 Exception Zone 4 (By-law 6993-09, as amended by By-law 7151-11)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Uses Permitted (“S2-16” Zone)

No person shall within the lands designated "S2-16", use any lot or erect, alter, or use any building or structure for any purpose except the following:

a) detached dwelling residential use

3. Zone Requirements ("S2-16" Zone)

No person shall within the lands designated "S2-16", use any lot or erect, alter, or use any building except in accordance with the following provisions:

a) LOT AREA (minimum): 430 square metres;

b) LOT FRONTAGE (minimum): 14.0 metres;

c) FRONT YARD DEPTH (minimum): 4.5 metres;

d) INTERIOR SIDE YARD WIDTH (minimum): 1.5 metres one side, 0.6 metres other side;

e) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

f) REAR YARD DEPTH (minimum): 7.5 metres;

i. On lots dual zoned OS-HL and S2-16 a minimum rear yard depth of 7.5 metres shall be provided from the OS-HL zone;

ii. On lots cross hatched on Figure 1 attached hereto, a minimum rear yard depth of 12 metres shall be provided;

g) BUILDING HEIGHT (maximum): 9.5 metres;

h) DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

i) PARKING REQUIREMENTS:

i. minimum one private garage per lot attached to the main building; any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street; and,

ii. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

j) SPECIAL REGULATIONS:

i. the horizontal distance between buildings on adjacent lots shall not be less than 2.1 metres;

ii. notwithstanding clause 5.8(b) of By-law 2511, as amended, for Lots 15 to 20, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres in-depth into the required rear yard of a lot provided no part thereof exceeds 6.0 metres in width.

4. Uses Permitted (“OS-HL” Zone)

   No person shall, within the lands zoned “OS-HL”, use any lot or erect, alter or use any building or structure for any purpose except the following:

   a) Preservation and Conservation of the natural environment, soil and wildlife;

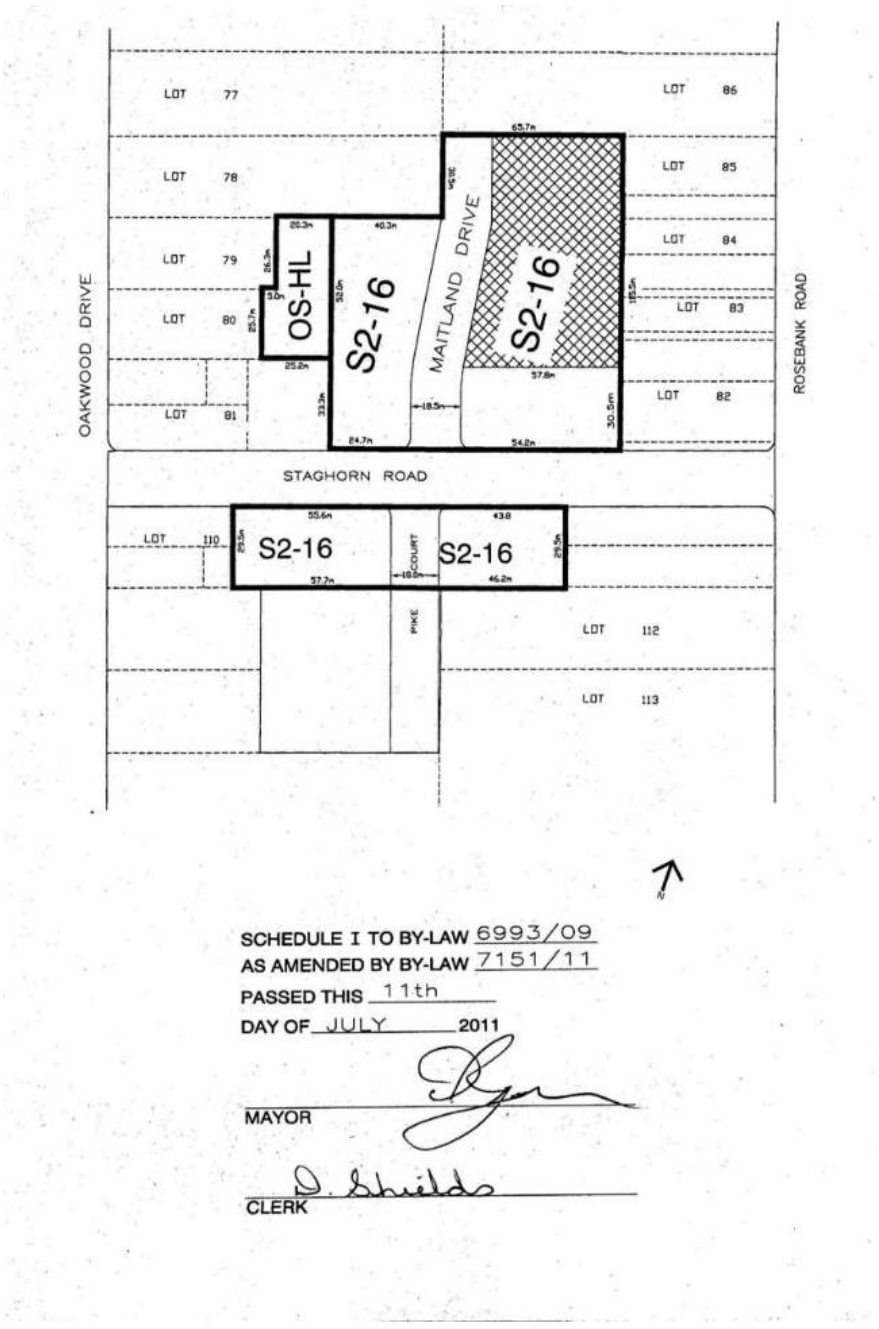
   b) Resource Management;

   c) Pedestrian Trails and Walkways;

5. Zone Requirements (“OS-HL” Zone)

   a) No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

6. Figure 1


LOT 77
LOT 78
LOT 79
LOT 80
LOT 81
LOT 86
LOT 85
LOT 84
LOT 83
LOT 82
OAKWOOD DRIVE
ROSEBANK ROAD
MAITLAND DRIVE
OS-HL
S2-16
S2-16
STAGHORN ROAD
LOT 110
S2-16
COURT
S2-16
PIKE
LOT 112
LOT 113
SCHEDULE I TO BY-LAW 6993/09
AS AMENDED BY BY-LAW 7151/11
PASSED THIS 11th
DAY OF JULY 2011
MAYOR
D. Shields
CLERK

15.5 Exception Zone 5 (By-law 1571-82)

1. Definitions

a) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization and may include a financial institution, a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store.

b) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

c) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

d) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

e) "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

f) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

h) "Personal Service Shop" shall mean an establishment where a personal service is performed and may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time or any successor thereto.

i) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given and may include a clinic and the offices of an architect, chartered accountant, an engineer, a lawyer or a physician, but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time or any successor thereto.

j) "Restaurant – Type D" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises, and which may include an accessory take-out component.

k) "Retail Store" shall mean building or part of a building in which goods, wares, merchandise, substances, articles or, things are stored, offered or kept for retail sale to the public.

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot line, and the nearest wall of the nearest main building or structure on the lot.

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

   a) Uses Permitted ("C8" Zone)

      No person shall within the lands designated "C8" use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. business offices
      ii. dry cleaning depots
      iii. laundromats
      iv. personal service shops
      v. professional offices
      vi. restaurants - type D
      vii. retail stores

   b) Zone Requirements ("C8" Zone)

      No person shall within the lands designated "C8" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

      i. LOT AREA (minimum) 0.139 hectares
      ii. LOT FRONTAGE (minimum) 24 metres
      iii. FRONT YARD DEPTH (minimum) 9 metres
      iv. INTERIOR SIDE YARD WIDTH (minimum) 4.5 metres
      v. FLANKAGE SIDE YARD WIDTH (minimum) 3 metres
      vi. REAR YARD WIDTH (minimum) 7.5 metres
      vii. LOT COVERAGE (maximum) 45 percent
      viii. BUILDING HEIGHT (maximum) 5 metres
      ix. Special Restriction
         A. The gross floor area of all buildings on the lot shall not exceed 620 square metres.
         B. The lands subject of this By-law may not be re-developed in any manner whatsoever without an amendment to this By-law with respect to building setbacks and parking provisions.

3. BY-LAW 2511

   a) The provisions of Section 5.21 (off street parking) of By-law 2511 shall not apply to the lands subject of this By-law.

15.6 Exception Zone 6 (By-law 6090-03, as amended by By-law 6147-03 and By-law 6550-05)

1. Definitions

a) "Adult Entertainment Parlour" shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

b) "Boat Storage" shall mean the enclosed or open storage of boats, vessels or watercraft on land, and use of accessory facilities related thereto, and may include a trailer or cradle supporting a boat and boat lifting equipment.

c) "Boat Repair-Major" shall include gelcoat spraying, epoxy/fibreglass hull repair, engine repair requiring engine removal and unenclosed hull sanding.

d) "Building Height" shall mean the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. A penthouse, tower, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical equipment of any building shall be disregarded in calculating the height of such building.

e) ''Business Office" shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which 'may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

f) "Club" shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

g) "Commercial School" shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

h) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

i) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

j) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above-grade common wall;

k) "Multiple Dwelling - Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

l) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

m) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case in may be, other than a private garage, an attic, or a cellar;

n) "Ground Floor Area" shall mean the area of that portion of a lot occupied by a building or structure, exclusive of any porch, private garage, verandah or sunroom, unless such sunroom is habitable at all seasons;

o) "Gross Leasable Floor Area - Commercial" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or part thereof as the case may be, other than rooms or space jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms, lobbies, stairwells, elevators and service corridors.

p) "Games Arcade" shall mean any building, room, or area in which facilities are offered for the play of

   i. three or more games of chance,

   ii. three or more games of mixed chance and skill,

   iii. a combination of three or more games of chance and games of mixed chance and skill,

   for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but does not include premises in which the amusement facilities offered are pool tables, billiard tables, or bowling alleys;

q) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless· of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

r) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

s) "Marina" shall mean a commercial establishment or premises where boats, vessels and watercraft or boat accessories are berthed, stored, serviced, repaired or launched. A Marina may include: parking areas, land based facilities for the storage of boats; sale or rental of boats and boat accessories; the sale of marine fuels or lubricants, accessory retail sales and a taxi and/or barging service; waste water pumping facilities; washroom and shower facilities; a laundromat; launching ramp; boat lift/boat lifting equipment; administrative offices; a lounge with or without eating facilities; a restaurant; refreshment stands; tennis courts; picnic areas; parks; playgrounds, beaches; locker and locker room facilities; and, a boatel.

t) "Marine Service & Repair Shop" shall mean a building or part of a building containing facilities for the repair and maintenance of boat vessels on the premises, in which boat accessories are sold and boat vessel maintenance and repair operations are performed in return for remuneration, but shall not include the retail sale of motor fuels.

u) “Parking Lot” shall mean a lot or portion thereof, used for the temporary storage or parking of motor vehicles and available for public use, whether free, for compensation, or as an accommodation for clients, customers or residents, but shall not include the repair or the storage or parking of motor vehicles for hire and gain, display or for sales;

v) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include an adult entertainment parlour as defined herein or a body-rub parlour as .defined in section 224(9)(b) of the Municipal Act R.S.O.1990, Chapter M.45, as amended from time to time, or any successor thereto;

w) "Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall; a music hall, or theatre, but shall not include a games arcade or an adult entertainment parlor as defined herein;

x) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

y) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation

given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or physician, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O.1990, chapter M.45, as amended from time to time, or any successor thereto;

z) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;

aa) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public.

bb) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

cc) "Front Yard" shall mean a yard extending across the full width of the main building from the street to the nearest wall of the nearest main building or structure on the lot;

dd) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

ee) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ff) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.;

gg) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

hh) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

ii) “Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

jj) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

kk) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

ll) "Yacht Club" shall mean a building or structure or part thereof, together with associated land-based and water lot areas, used as the meeting place for an association of persons united by a common interest in boating. A Yacht Club may include facilities for docking, mooring, storing, servicing, fueling, berthing, securing; lifting and launching of private pleasure craft. Accessory uses may include the sale of marine fuels and lubricants and incidental boating supplies, waste water pumping facilities, a restaurant for the boat owners, crews, and guests, instructional schools, administrative offices, a clubhouse, and parking areas.

2. Provisions

a) Uses Permitted ("MU-16" Zone)

No person shall within the lands designated "MU-16", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Residential Uses:

A. multiple dwelling – horizontal

B. semi-detached dwelling

The residential uses noted above and uses accessory thereto may be in the form of common elements condominium with freehold parcels of tied land pursuant to the Condominium Act, 1998

ii. Commercial Uses:

A. business office

B. commercial school

C. personal service shop

D. professional office

E. restaurant type-A

F. retail store

b) Zone Requirements ("MU-16" Zone)

No person shall within the lands designated "MU-16", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location And Restrictions:

A. Building Height: minimum 7.5 metres

maximum: 11.0 metres

B. Front Yard Depth: minimum 2.0 metres
maximum 4.5 metres

C. Unit Width minimum: 5.4 metres

D. Despite clause B above, front yard balconies, verandahs and decks, both covered and uncovered, may project fully into any required front or side yard;

E. Balconies, verandahs and decks, both covered and uncovered, may project a maximum of 2.4 metres into the required rear yard;

ii. Parking Requirements

A. For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, any of which may not be located within a front yard, and one of which must be provided within an attached private garage located to the rear of the dwelling unit, any vehicular entrance of which shall be located not less than 6 metres from any street or drive aisle providing access to those lots and a minimum of 0.25 visitor parking spaces.

B. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2511, as amended, shall not apply to the lands designated "MU-16".

C. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

D. Despite 2(b)(ii)A there shall be provided a minimum of 5 parking spaces for a business office that occupies all floors of Part of Block 1, Plan 40M-2177, Part 9, Plan 40R-22540; a minimum of 2 of the required parking spaces must be provided and maintained on the lands described as Part of Block 1, Plan 40M-2177, Part 9, Plan 40R-22540; one of which must be provided within the attached private garage; the remaining required spaces may be provided on adjacent lands owned by the City of Pickering provided an agreement exists with the City of Pickering and the owner of Part of Block 1, Plan 40M-2177, Part 9, Plan 40R-22540;

iii. Special Regulations

A. A maximum of 21 multiple dwelling-horizontal and semi-detached dwelling units are permitted on the lands designated zoned "MU-16";

B. 8 dwelling units shall provide a minimum ground floor area of 50 square metres, with a minimum finished ceiling height of 2.7 metres to enable their use for commercial purposes;

C. Despite Section 2(a)(ii) of this By-law, non-residential uses permitted within the "MU-16" zone designation may be established only within the ground floor and basement of a dwelling unit;

D. For the dwelling units referred to in Section 2(b)(iii)(B) of this By-law, a single dwelling unit shall be established on each lot above the ground floor of the dwelling, with supplementary floor area provided within the ground floor for those dwelling units that may be utilized for commercial purposes.

E. Despite Section 2.46(c)(i) of By-law 2511, Liverpool Road shall be considered as the front lot line.

F. Despite clauses 2(b)(iii)(C) and 2(b)(iii)(D) a business office shall be permitted to occupy all floors of Part of Block 1, Plan 40M-2177. Part 9, Plan 40R-22540.

c) Uses Permitted ("RM-1" Zone)

No person shall within the lands designated "RM-1", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Residential Uses: A multiple dwelling - horizontal

The residential uses noted above and uses accessory thereto may be in the form of common elements condominium with freehold parcels of tied-land pursuant to the *Condominium Act*, 1998

d) Zone Requirements ("RM-1" Zone)

No person shall within the lands designated "RM-1", use any lot or erect, alter, or use any building except in accordance

i. Building Location And Restrictions:

A. Building Height: minimum 7.5 metres maximum 11.0 metres

B. Front Yard Depth: minimum 3.0 metres maximum 4.5 metres

C. Unit Width: minimum 5.4 metres

D. Despite clause B above, front yard balconies, verandahs and decks, both covered and uncovered, may project a maximum of 2.4 metres into any required yard;

ii. PARKING REQUIREMENTS:

A. For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, must be provided within an attached private garage. Any vehicular entrance shall be located not less than 6 metres from any street or drive aisle providing access to those lots and a minimum of .25 visitor parking spaces.

B. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2511, as amended, shall not apply to the lands designated "RM-1".

C. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

iii. SPECIAL REGULATIONS:

A. A maximum of 45 multiple dwelling-horizontal dwelling units are permitted on the lands designated zoned "RM-l".

B. Despite the provisions of Section 5.6 of By-law 2511, the requirement for frontage on a public street shall be satisfied by establishing frontage on a common elements condominium street.

e) Uses Permitted ("O3B-1" Zone)

No person shall within the lands designated "O3B-1", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. business office

ii. club

iii. marina

iv. restaurant - type A

v. retail store

vi. yacht club

f) Zone Requirements ("O3B-1" Zone)

No person shall within the lands designated "O3B-1", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. BUILDING LOCATION AND RESTRICTIONS:

A. Lot Area (minimum): 0.5 hectares

B. Lot Frontage (minimum): 20 metres

C. Water Frontage (minimum): 130 metres

D. Building Height (maximum): 11.0 metres

ii. PARKING REQUIREMENTS:

A. A minimum of 10 visitor parking spaces shall be provided and maintained on the lands designated "O3B-1".

B. A minimum of 0.5 parking spaces per boat slip shall be provided from June 1 to September 30, all of which parking spaces shall be located on the lands designated "O3B-2" on Figure 1 attached hereto. For the purpose of this section, a parking space may be provided in a boat storage location not otherwise occupied by a boat.

iii. SPECIAL REGULATIONS:

A. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2511, as amended, shall not apply to the lands designated "O3B-1".

B. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking

areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

C. For the purposes of this clause, the term "drive-through facility" shall mean a facility in which goods, products or services are provided directly to the customer in vehicles.

D. No drive-through facility shall be permitted in association with any of the uses permitted on the lands-designated "O3B-1";

E. No boat storage shall be permitted on the lands designated "O3B-1".

g) Uses Permitted ("O3B-2" Zone)

No person shall within the lands designated "O3B-2" on Figure 1 attached hereto, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. boat storage

ii. business office

iii. club

iv. marine service and repair shop

v. parking lot

vi. restaurant-type A

vii. retail store

viii. yacht club

ix. boat repair-major

h) Zone Requirement ("O3B-2" Zone)

No person shall within the lands designated "O3B-2" on Figure 1 attached hereto, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. BUILDING LOCATION AND RESTRICTIONS:

A. Building Height (minimum) 11.0 metres

B. Buildings and structures shall be located entirely within the envelope illustrated on Figure 1 attached hereto;

C. Business offices, Restaurants - type A and Retail uses shallbe located entirely within the hatched area illustrated on Figure 1 attached hereto;

D. Major boat repairs shall only be permitted within the cross-hatched area illustrated on Figure 1 attached hereto;

E. The storage of boats shall be located a minimum of 3 metres from the front lot line abutting Liverpool Road except for the display of new and resale boats for retail sale.

ii. PARKING REQUIREMENTS:

A. Within the hatched area illustrated on Figure 1 attached hereto a minimum of 4.5 parking spaces per 100 square metres of gross leasable floor area shall be provided and maintained;

B. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2520, as amended, shall not apply to the lands designated "O3B-2" on Figure 1 attached hereto:

C. Boat storage areas and marina related parking required by Section 2(f)(ii)(B) shall be gravel surfaced only;

iii. SPECIAL REGULATIONS

A. For the purpose of this clause, the term "drive-through facility" shall mean a facility in which goods, products or services are provided directly to the customer in vehicles;

B. No drive-through facility shall be permitted in association with any of the uses permitted on the lands designated "O3B-2";

i) Uses Permitted ("OS-HL-5" Zone)

No person shall within the lands designated "OS-HL-5" on Figure 1 attached hereto, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

j) Zone Requirements ("OS-HL-5" Zone)

i. No buildings or structures shall be erected, nor shall the placing or removal of fill be permitted;

ii. Above ground encroachment of boats on storage cradles that are located in the (H) O3B-2 zone is permitted.

3. Holding Provisions (H) Holding Symbol

a) Uses Permitted

While the “(H)” holding symbol is in place, no personal shall, on the lands designated:

i. "(H)O3B-2", use the lands for any purpose other than for marina support uses including boat storage, temporary structures related to marina uses and a business office in the existing structure.

b) Removal of the “H” Holding Symbol

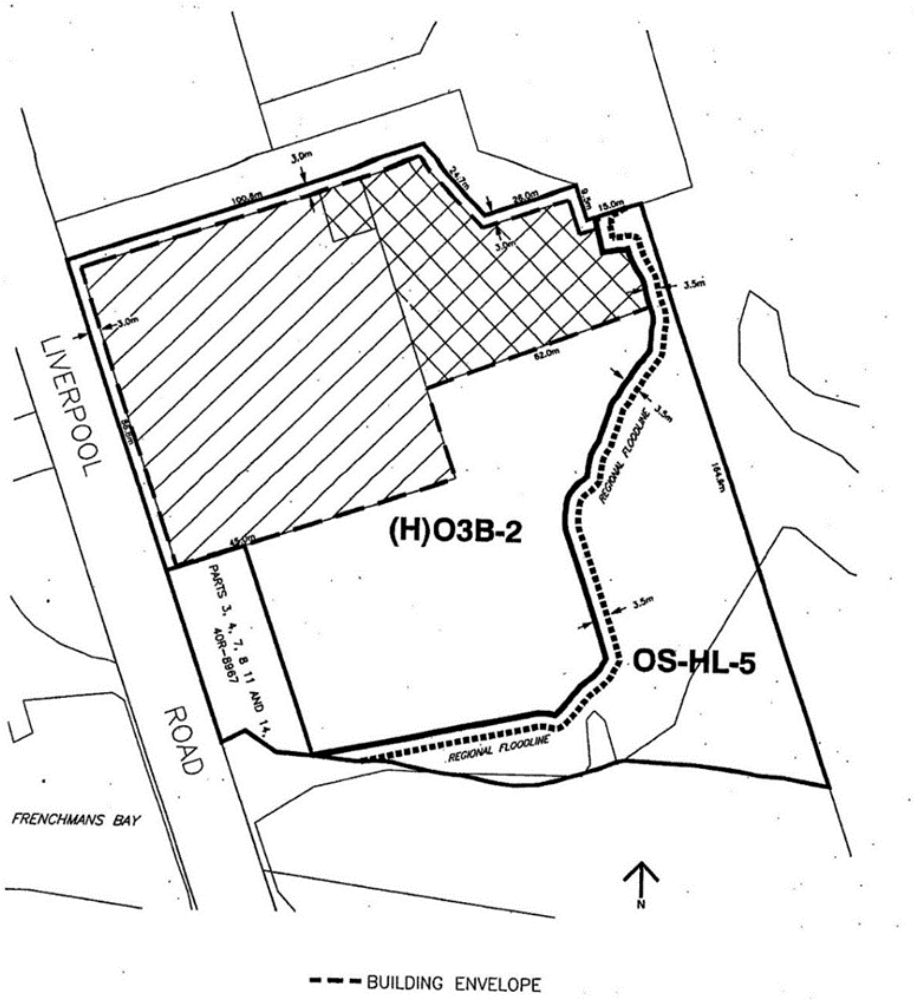
The "(H)" Holding Symbol preceding the above zoning categories shall be removed when the following conditions are met:

i. O3B-2

The owner has executed appropriate Site Plan and Development Agreements, with and to the satisfaction of the City, and such Agreements have been registered on title to the lands, to address the following matters:

A. servicing agreements with the Region of Durham;

4. Figure 1



SCHEDULE II TO BY-LAW 6090/03
AS MADE BY
ONTARIO MUNICIPAL BOARD

ORDER DATE MAY 13, 2003
(O.M.B. FILE Z010162)

15.7 Exception Zone 7 (By-law 5792-01)

1. Definitions

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing or designed to appeal to erotic or sexual appetites or inclinations;

b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

c) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

d) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

e) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

f) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;

g) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

h) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

i) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to such processes;

j) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

k) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

l) “Gross Leasable Floor Area” shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

m) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

n) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

o) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

p) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

q) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

r) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but

shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

s) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;

t) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

u) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

v) “Place of Assembly” shall mean a building or part of building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

w) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

x) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;

y) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

z) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

aa) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

bb) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

cc) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;

dd) “Vehicle Sales or Rental Establishment” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

ee) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

ff) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;

gg) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

hh) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

ii) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

jj) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

kk) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ll) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

mm) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

nn) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

oo) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

pp) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MC-14" Zones)

No person shall within the lands designated "MC-14", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;

ii. business office;

iii. club;

iv. commercial club;

v. commercial school;

vi. commercial-recreational establishment;

vii. convenience store;

viii. dry cleaning depot;

ix. dry cleaning establishment;

x. food preparation plant;

xi. light manufacturing plant;

xii. merchandise service shop;

xiii. office-associated commercial establishment;

xiv. personal service shop;

xv. place of assembly;

xvi. printing establishment;

xvii. professional office;

xviii. restaurant – Type A;

xix. sales outlet;

xx. scientific, medical or research laboratory;

xxi. vehicle repair shop;

xxii. vehicle sales or rental establishment;

xxiii. warehouse;

b) Zone Requirements ("MC-14" Zone)

No person shall within the lands designated "MC-14", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.3 hectares

ii. LOT FRONTAGE (minimum): 45 metres

iii. FRONT YARD DEPTH (minimum):12 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):4.5 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 40 per cent

vii. BUILDING HEIGHT (maximum): 12 metres

viii. OPEN STORAGE:

All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.

ix. PARKING REQUIREMENTS

A. There shall be provided and maintained on the lot a minimum of 5.5 parking spaces per 100 square metres of gross leasable floor area for all uses;

B. Sections 5.21.2 (a) and 5.21.2 (b) of By-law 2511 as amended shall not apply to the lands designated “MC-14”;

x. SPECIAL REGULATIONS:

A. A sales outlet shall be permitted only if accessory to a bakery, a food preparation plant, a light manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 25 per cent of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse;

B. Notwithstanding Clause A above, a sales outlet may exceed 25 per cent up to a maximum of 40 per cent of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25 per cent of the total gross leasable floor area that buildings;

C. The maximum aggregate gross leasable floor area shall be:

1) for all convenience stores on the lot: 325 square metres

2) for all office-associated commercial establishments on the lot: 325 square metres

3) for all personal service shops on the lot: 325 square metres

4) for all restaurants – Type A on the lot: 600 square metres

D. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "MC-14";

15.8 Exception Zone 8 (By-law 929-78, as amended by By-law 1201-80, By-law 1444-82, and By-law 6803-07)

1. Notwithstanding the provisions of Section 16.1 or Section 16.2 of By-law 2511, the land designated as "CA2(S)" shall be used only in accordance with the provisions of this subsection.

2. Definitions

   a) "Automobile Service Station" shall mean a gasoline retail outlet which also contains facilities for the repair and maintenance of vehicles on the premises, and in which vehicle accessories are sold and vehicle maintenance and repair operations are performed but shall not include a body shop as defined herein;

   b) "Bakery" shall mean a building or part of a building in which food products are baked, prepared, and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   c) "Body Shop" shall mean an establishment primarily engaged in repairing or painting vehicle bodies;

   d) "Business Office" shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, and may include a sales outlet component;

   e) "Car Wash" shall mean a building or structure containing facilities specifically used or intended to be used for washing vehicles either by production line methods employing mechanical devices or by hand;

   f) "Convenience Store" shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in the immediate neighbourhood;

   g) "Dry Cleaning Establishment" shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

   h) "Floor Area" shall mean the area of the floor surface of a storey or part of a storey.

i) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure other than a private garage, an attic or a cellar;

j) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged.

k) "Gasoline Retail Outlet" shall mean an establishment where only vehicle fuels and lubricants are offered for retail sale;

l) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber and may include a sales outlet component, but shall not include a manufacturing plant;

m) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

n) "Printing Establishment" shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

o) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include the offices of an architect, a chartered accountant, an engineer, a lawyer, but shall not include the offices of a physician or a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;

p) "Restaurant" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on or off the premises, or both;

q) "Sales Outlet" shall mean a building or part of a building accessory to a merchandise service shop or a warehouse, wherein products are processed, stored, serviced or repaired on the premise, are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

r) "Self-Serve" when used in reference to an automobile service station or a gasoline retail outlet, shall mean an automobile service station or a gasoline retail outlet wherein some or all of the facilities or equipment used

in the retail sale of petroleum fuels for the purpose of dispensing such fuels are operated by the purchaser thereof;

s) "Vehicle Repair Shop" shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels.

t) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

u) "Farm and Recreational Vehicle Service and Sales Establishment" shall mean an establishment in which farm and recreational vehicles and accessories are stored, repaired or serviced and wherein the retail sale of such vehicles or accessories may be permitted providing:

i. no more than 50 percent of the gross floor area of the establishment is used for retail purposes; and

ii. all vehicles and accessories are stored, displayed or kept totally within an enclosed structure or structures on the lot.

v) "Vehicle Sales Shop" shall mean an establishment in which vehicles are displayed for sale, sold or both.

3. Uses Permitted

No person shall within the lands designated "CA2(S)", use any lot or erect, alter or use any building structure for any purpose except one or more of the following uses:

a) automobile service stations, self-serve

b) bakery

c) business office

d) car washes

e) convenience store

f) dry cleaning establishment

g) farm and recreational vehicle service and sales establishments

h) financial institution

i) merchandise service shop

j) personal service shop

k) printing establishment

l) professional office

m) rental establishment

n) restaurants

o) sales outlet, subject to the provisions of Section 4(k)

p) vehicle repair shops

q) vehicle sales shop

r) warehouses

4. Zone Requirements

No person shall within the lands designated "CA2(S)", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA (minimum): 0.4 of a hectare

b) LOT FRONTAGE (minimum): 45 metres

c) FRONT YARD (minimum): 18 metres

d) SIDE YARD (minimum)

i. interior Side Yard: 4.5 metres

ii. flankage Side Yard: 12 metres

e) REAR YARD (minimum): 7.5 metres

f) LOT COVERAGE (maximum): 40 percent

g) BUILDING HEIGHT (maximum): 12 metres

h) OPEN STORAGE: No open storage shall be permitted in any yard

i) SPECIAL RESTRICTION ON RESTAURANTS

The gross floor area of all restaurants on a lot shall not exceed 18 percent of the gross floor area of all buildings on the lot.

j) SPECIAL RESTRICTIONS ON VEHICLE SALES SHOP

i. A vehicle sales shop may be permitted only in combination with a vehicle repair shop on the site;

ii. Not more than 20 percent of the gross floor area of the combined vehicle repair shop and vehicle sales shop establishments shall be used for the display or sale of vehicles;

iii. All vehicles for sale or being displayed shall be kept totally within an enclosed structure or structures on the lot.

k) SPECIAL RESTRICTION FOR SALES OUTLETS

The maximum area for a sales outlet shall be limited to no more than 30 percent of the gross floor area of a permitted use.

l) PARKING REQUIREMENTS (minimum)

There shall be provided and maintained 5.0 spaces per 100 square metres of gross leasable floor area for all permitted uses on the property.

15.9 Exception Zone 9 (By-law 119-74)

1. Definitions

   a) "Residential-Multiple" shall mean a building divided vertically into three or more dwelling units, each having independent external entrances at grade level of the building.

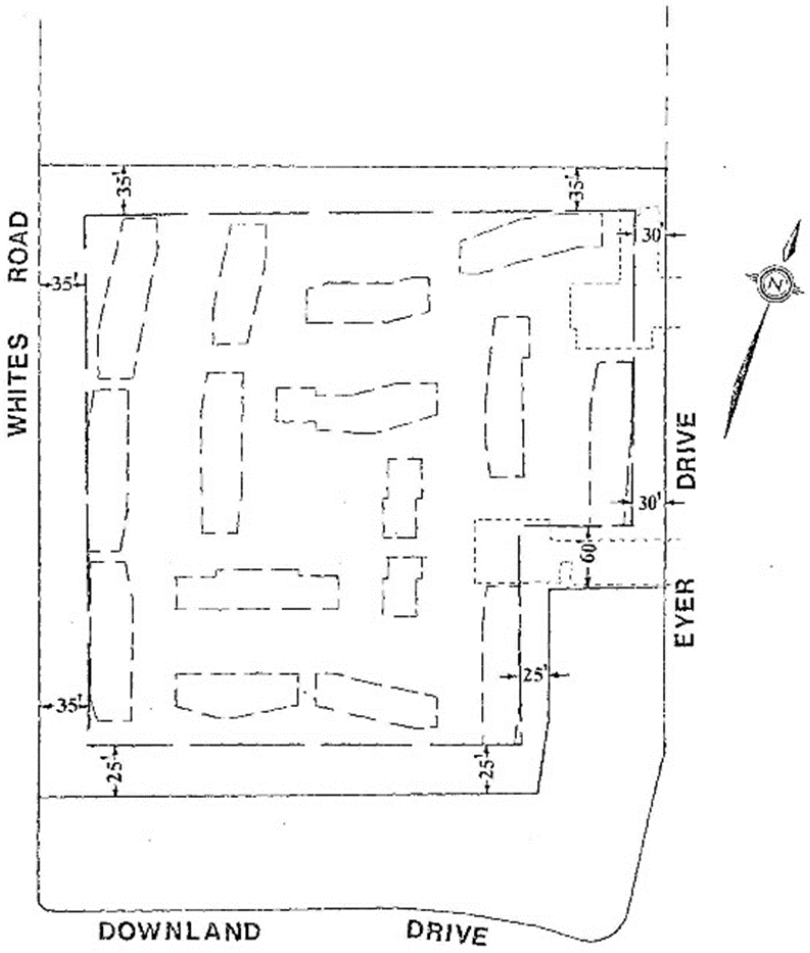
2. The performance standards and provisions as set out on Figure 1 hereto shall apply to the Area restricted by this By-law.

3. Figure 1

ZONE	SYMBOL	MAXIMUM DENSITY	LAND-SCAPED OPEN SPACE	COVERAGE	MAXIMUM HEIGHT	SETBACKS	FLOOR AREA	UNIT BREAKDOWN	MINIMUM PARKING REQUIREMENTS
Residential - Multiple	M15	38 u.p.ha. to the nearest full unit	70%	All buildings 25% maximum	3 storeys	Setbacks from streets & property boundaries as per Figure 2	3 bedroom unit 100 sq. m. minimum 4 bedroom unit 105 sq. m. minimum	Maximum no. of 4 bdrm. units 50% of total exceeding 4 bdrms. not permitted.	2 spaces per unit Underground parking

U.P.HA – Units Per Hectare

4. Figure 2



WHITES ROAD - OKLAHOMA DRIVE
SCHEDULE "C" TO BY-LAW 1117d

PASSED THIS 2nd DAY OF October 1974.

MAYOR

CLERK

NOTE: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SET BACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.

2. MAP NOT TO SCALE.

15.10 Exception Zone 10 (By-law 1227-81)

1. Definitions

   a) "Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   b) "Vehicle Sales or Rental Establishment" shall mean an establishment having as its main use the sale, service, rent or lease of vehicles, and which may include an accessory vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels.

   c) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such buildings, structures or other uses as are specifically permitted thereon.

   d) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

   e) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

   f) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

   g) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

   h) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

   i) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

   j) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

   k) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted

No person shall within the lands designated CA3, use any lot or erect, alter or use any building or structure for any purpose except as follows:

i. vehicle sales or rental establishment

b) Zone Requirements

No person shall within the lands designated CA3, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 12 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres

iii. FLANKAGE SIDE YARD WIDTH (minimum): 12 metres

iv. REAR YARD DEPTH (minimum): 7.5 metres

v. LOT COVERAGE (maximum): 30 percent

vi. BUILDING HEIGHT (maximum): 12 metres

15.11 Exception Zone 11 (By-law 1299-81, as amended by By-law 2352-87)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) "Single Attached Dwelling" shall mean one of a group of not less than 3 and not more than 6 single dwellings, adjacent dwellings being attached together horizontally above grade only, below grade only, or both above and below grade.

   e) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   k) "Neighbourhood Park" shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("SA" Zone)

No person shall within the lands designated "SA", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. on lots or blocks adjacent to Bayly Street, residential uses in single attached dwellings attached above grade only or both above and below grade

ii. on lots or blocks not adjacent to Bayly Street, residential uses in any single attached dwelling type

b) Zone Requirements ("SA" Zone)

No person shall within the lands designated "SA", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on lots or blocks,

1) adjacent to Bayly Street, or

2) not adjacent to Bayly Street but having erected thereon single attached dwellings attached by an above grade common wall,

0.6 metres, except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots a minimum of 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot; and

B. on lots or blocks not adjacent to Bayly Street and having erected thereon single attached dwellings attached below grade only,

1) no interior side yard one side and 1.8 metres other side; or

2) 0.6 metres one side and 1.2 metres other side,

so long as the horizontal distance at grade level between dwellings on adjacent lots is not less than 1.8 metres.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. DWELLING UNIT AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 40 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLING UNITS PER LOT: 1 only

xi. PARKING REQUIREMENTS PER LOT:

A. subject to the provisions of (B), below, minimum 1 private garage located not less than 6 metres from the front lot line

B. notwithstanding Section 5.19 of By-Law 2511, on lots or blocks adjacent to Bayly Street, a private garage detached from the main dwelling may be located in the front yard with no minimum side yard setback, and may be attached in whole or in part to another private garage which is located on an adjacent lot.

c) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park

d) Uses Permitted ("PU" Zone)

No person shall within the lands designated "PU", use any lot or erect, alter or use any building or structure for any purposes except the following:

i. sewage pumping station

15.12 Exception Zone 12 (By-law 1309-81)

1. Definitions

a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units.

b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

c) "Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto.

d) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

e) “Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above grade common wall.

f) "Single Attached Dwelling" shall mean one of a group of not less than 3 and not more than 6 single dwellings, adjacent dwellings being attached together horizontally by an above grade common wall.

g) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

h) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

i) "Dwelling Unit Area" shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

j) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

k) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

l) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

m) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles in which structure no business or service is conducted for profit or otherwise.

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

o) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

p) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the 1 lot.

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

u) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

v) “Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S-SD-SA" Zone)

No person shall within the lands designated "S-SD-SA", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses

ii. semi-detached dwelling residential uses

iii. single attached dwelling residential uses

b) Zone Requirements ("S-SD-SA" Zone)

No person shall within the lands designated "S-SD-SA", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA {minimum):

A. for single detached dwellings: 250 square metres

B. for semi-detached dwellings: 225 square metres

C. for single attached dwellings: 200 square metres

ii. LOT FRONTAGE (minimum):

A. for single detached dwellings: 9 metres

B. for semi-detached dwellings: 7.5 metres

C. for single attached dwellings: 6.7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. for single detached dwellings: 1.2 metres one side, 0.6 metres other side

B. for semi-detached and single attached dwellings:

1.2 metres, except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots a minimum of 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. for single detached dwellings: 38 percent

B. for semi-detached and single attached dwellings: 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum dwelling units per lot: 1 only

B. minimum dwelling unit area: 100 square metres

x. PARKING REQUIREMENTS:

A. minimum 1 private garage per lot attached to the main building and located not less than 6 metres from the front lot line.

15.13 Exception Zone 13 (By-law 1200-80, as amended by By-law 1573-82)

1. DEFINITIONS

   a) “Dwelling” shall mean a building or part of a building containing one or more dwelling units.

   b) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) “Senior Citizens Apartment Dwelling” shall mean a dwelling containing four or more dwelling units attached horizontally or vertically for occupation by elderly person.

   d) “Floor Area” shall mean the area of the floor surface contained within the outside wall of a storey or part of a storey.

   e) “Dwelling Unit Area” shall mean the aggregate of the floor area of all habitable rooms of a dwelling unit.

   f) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot.

   g) “Day Nursery – Type B” shall mean lands and premises duly licenced pursuant to the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of not more than 65 children at any one time.

2. PROVISIONS

   a) Uses Permitted (“I(C) – R(SC)” Zone)

      No person shall within the land designated “I(C) – R(SC)”, use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. church

      ii. senior citizen apartment dwelling

      iii. day nursery – type B

   b) Zone Requirements (“I(C) - R(SC)” Zone)

      No person shall within the lands designated “I(C) – R(SC)”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

      i. Yard requirements: as set out on Figure 1 attached hereto

      ii. Lot Coverage (maximum): 33 percent

      iii. Building Height (maximum): 12 metres

iv. Dwelling Unit Area (minimum): 40 square metres

v. Dwelling Units per lot (maximum): 60 dwelling units

vi. Parking Requirements per lot (minimum):

A. church 1 space per 4 person capacity

B. senior citizens apartment dwelling: 1 space per 4 dwelling units

vii. Supplementary Parking Regulations:

A. Notwithstanding section 5.21.2(a) of By-law 2511, as amended, all parking spaces may be located in the front yard.

B. Notwithstanding section 5.21.2(b) of By-law 2511, as amended, side yard parking may be permitted no closer than 1.5 metres from any side lot line.

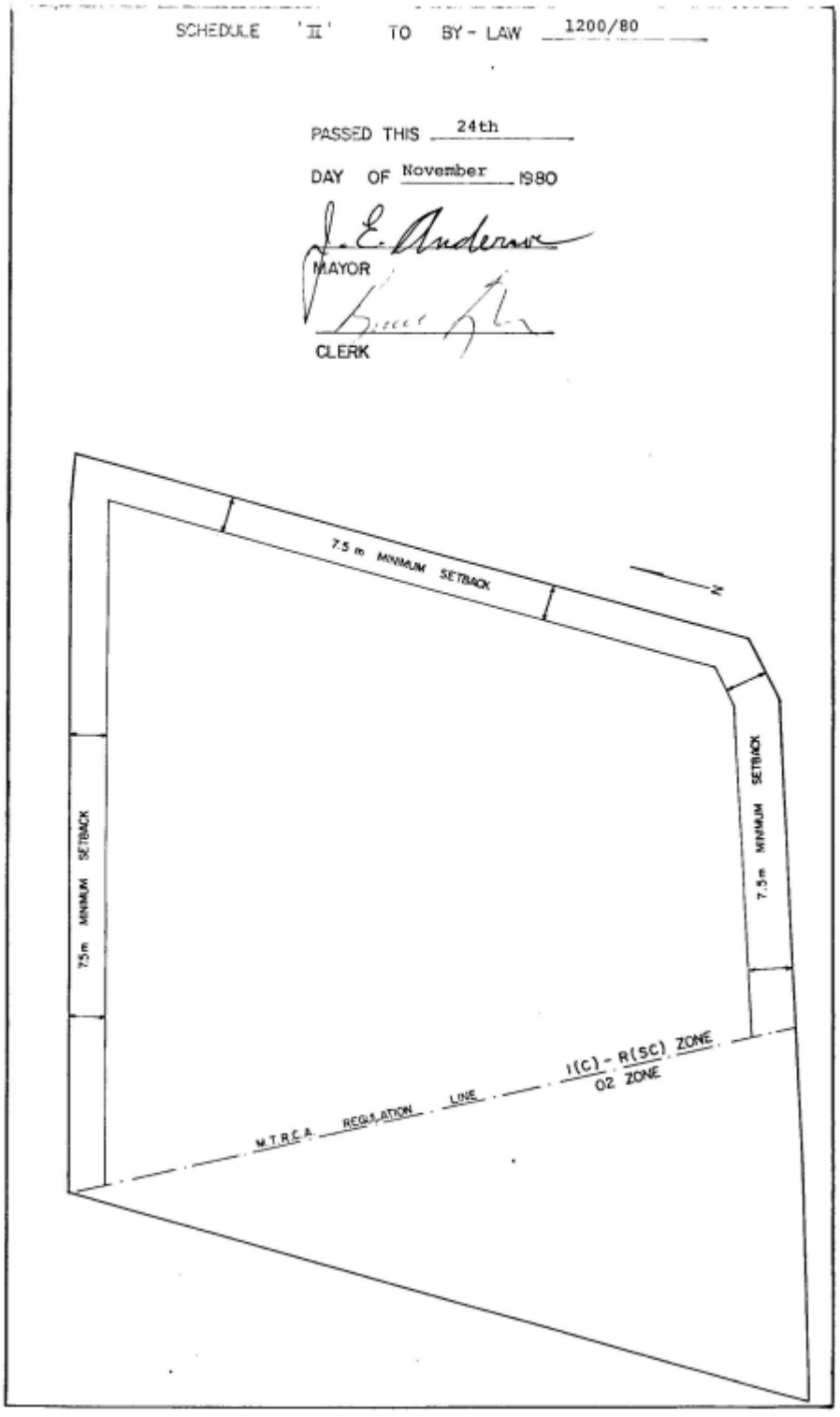
c) Special Restrictions

i. A day nursery-Type B may be permitted only in a church building on the site.

d) Uses Permitted and Zone Requirements (“O2” Zone)

i. No person shall within the lands designated “O2”, use any lot or erect, alter or use any building or structure for any purpose except in accordance with the provisions of section 20 of By-law 2511, as amended.

3. Figure 1


SCHEDULE 'II' TO BY-LAW 1200/80
PASSED THIS 24th
DAY OF November 1980
MAYOR
CLERK
7.5 m MINIMUM SETBACK
7.5m MINIMUM SETBACK
7.5m MINIMUM SETBACK
N
M.T.R.C.A. REGULATION LINE
I(C) - R(SC) ZONE
O2 ZONE

15.14 Exception Zone 14 (By-law 1471-82)

1. Definitions

a) ''Business Office'' shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization, and may include a financial institution, a telegraph office, a data processing establishment, a radio or television broadcasting station and related studios or theatres but shall not include a retail store.

b) ''Coverage'' or ''Lot Coverage'' shall mean the percentage of lot area covered by all buildings on the lot.

c) ''Dry Cleaning Depot'' shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

d) ''Dry Cleaning Establishment'' shall mean a building or part of a building for dry cleaning and related processes but does not include a laundromat.

e) ''Floor Area'' shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

f) ''Gross Floor Area'' shall mean the aggregate of the floor areas of all storeys of a building or structure or a portion thereof, as the case may be, other than a private garage, an attic or a cellar.

g) ''Food Preparation Plant'' shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets.

h) ''Frontage'' or ''Lot Frontage'' shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

i) ''Laundromat'' shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

j) ''Manufacturing Plant'' shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.

k) ''Light Manufacturing Plant'' shall mean a manufacturing plant used for:

i. the production of apparel and finished textile products other than the production of synthetic fibres;

ii. printing or duplicating;

iii. the manufacture of finished paper and allied products other than the processing of wood pulp;

iv. the production of cosmetics, drugs and other pharmaceutical supplies; or

v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.

l) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, any establishment used for the service or repair of motorized vehicles, or a retail store other than a sales outlet.

m) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in Section 368a(6) of The Municipal Act, R.S.O. 1970, Chapter 284, as amended from time to time, or any successor thereto.

n) "Sales Outlet" shall mean a building or part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products.

o) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises.

p) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a

warehouseman but shall not include a fuel storage tank except as an accessory use.

q) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

r) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

s) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

t) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

u) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

v) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

w) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

x) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

y) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("MC-2" zone)

a) Uses Permitted

No person shall within the lands designated MC-2, use any lot or erect, alter or use any building or structure for any purpose, except the following uses:

i. business offices

ii. dry cleaning depots, subject to the provisions of paragraph (B) of subclause (ix) of clause (b) of this subsection

iii. dry cleaning establishments

iv. food preparation plants

v. light manufacturing plants

vi. merchandise service shops

vii. professional offices

viii. sales outlets, subject to the provisions of paragraph (A) of subclause (ix) of clause (b) of this subsection

ix. scientific, research or medical laboratories

x. warehouses

b) Zone Requirements ("MC-2" Zone)

No person shall, within the lands designated MC-2, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum) 0.4 hectares

ii. LOT FRONTAGE (minimum) 45 metres

iii. FRONT YARD DEPTH (minimum) 12 metres

iv. SIDE YARD WIDTH (minimum)

A. interior side yard 4.5 metres

B. flankage side yard 8 metres

v. REAR YARD DEPTH (minimum) 7.5 metres

vi. LOT COVERAGE (maximum) 40 percent

vii. BUILDING HEIGHT (maximum) 12 metres

viii. OPEN STORAGE

No open storage shall be permitted in any yard.

ix. SPECIAL RESTRICTIONS

A. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the gross floor area of the sales outlet does not exceed 48% of the gross floor area of the food preparation plant, light manufacturing plant, merchandise service shop or warehouse.

B. Dry Cleaning depots are permitted uses only if accessory to dry cleaning establishments and providing the gross floor area of the dry cleaning depot does not exceed 20% of the gross floor area of the dry cleaning establishment.

15.15 Exception Zone 15 (By-law 1849-84, as amended by By-law 1985-85)

1. Definitions

   a) ''Dwelling'' shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or a trailer.

   b) ''Dwelling Unit'' shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) ''Dwelling, Single or Single Dwelling'' shall mean a dwelling containing one dwelling unit and uses accessory thereto.

   d) ''Dwelling, Detached or Detached Dwelling'' shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) ''Dwelling, Semi-Detached or Semi-Detached Dwelling - Attached Below Grade'' shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part below grade only.

   f) ''Floor Area'' shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   g) ''Gross Floor Area' shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   h) ''Dwelling Unit Area'' shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

   i) ''Lot'' shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   j) ''Lot Coverage'' shall mean the percentage of a lot area covered by all buildings on the lot.

   k) ''Lot Frontage'' shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   l) ''Private Garage'' shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Uses Permitted - "S" Zone

No person shall within the lands designated "S", use any lot or erect, alter or use any building or structure for any purpose except the following:

a) detached dwelling residential uses

3. Zone Requirements - "S" Zone

No person shall within the lands designated "S", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA (minimum): 450 square metres

b) LOT FRONTAGE (minimum): 15 metres

c) FRONT YARD DEPTH (minimum): 6 metres

d) SIDE YARD WIDTHS (minima):

i. interior side yard: 1.5 metres one side
1.2 metres other side

ii. flankage side yard: 4 metres

e) REAR YARD DEPTH (minimum): 7.5 metres

f) FLOOR AREA (minimum): 100 square metres

g) LOT COVERAGE (maximum): 35 percent

h) BUILDING HEIGHT (maximum): 12 metres

i) DWELLINGS PER LOT (maximum): 1 only

j) PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building

k) SPECIAL REGULATION: despite any other provision of this by-law the minimum rear yard depth for lots and blocks abutting the Canadian National Railway Right-of-Way shall be 25 metres.

4. Uses Permitted -"SD-B" Zone

No person shall within the lands designated "SD-8", use any lot or erect, alter or use any building or structure for any purpose except:

i. semi-detached dwelling attached below grade residential uses.

5. Zone Requirements -"SD-B" Zone

No person shall within the lands designated “SD-B”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA (minimum): 320 square metres

b) LOT FRONTAGE (minimum): 10.5 metres

c) FRONT YARD DEPTH (minimum): 6 metres

d) SIDE YARD WIDTHS (Minima)

i. interior side yard: 1.5 metres, except that in the case of an interior side yard between a pair of attached single dwellings the minimum shall be 0.9 metres

ii. flankage side yard: 4 metres

e) REAR YARD DEPTH (minimum): 7.5 metres

f) FLOOR AREA (minimum): 100 square metres

g) LOT COVERAGE (maximum): 35 percent

h) BUILDING HEIGHT (maximum): 12 metres

i) DWELLINGS PER LOT (maximum): 1 only

j) PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main than 6 metres from building and located not less the front lot line

k) SPECIAL REGULATIONS: despite any other provisions of this by-law the minimum rear yard depth for lots and blocks abutting the Canadian National Railway Right-of-way shall be 25 metres

15.16 Exception Zone 16 (By-law 1866-84)

1. DEFINITIONS

a) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

b) "Dry Cleaning Establishment" shall mean a building or part of a building used for dry cleaning and related processes but does not include a laundromat;

c) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or a branch thereof

d) "Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes;

e) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

f) "Food Preparation Plant" shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets.

g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Lot Coverage" shall mean the percentage of a lot area covered by all buildings on the lot;

i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

j) "Manufacturing Plant" shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.

k) Light Manufacturing Plant" shall mean a manufacturing plant used for:

   i. the production of apparel and finished textile products other than the production of synthetic fibres;

   ii. printing or duplicating;

   iii. the manufacture of finished paper other than the processing of wood pulp;

   iv. the production of cosmetics, drugs and other pharmaceutical supplies; or

   v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

l) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store.

m) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

n) "Sales Outlet" shall mean a building or part of a building accessory to a light manufacturing plant, a food preparation plant, merchandise service shop, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

o) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

p) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

q) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures or other uses as are specifically permitted thereon.

r) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

s) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

t) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

u) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

v) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

w) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

x) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

y) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("MC-3" Zone)

No person shall within the lands designated "MC-3", use any lot or erect, alter or use any building or structure for any purpose, except the following:

i. business office

ii. dry cleaning establishment

iii. financial institution

iv. food preparation plant

v. light manufacturing plant

vi. merchandise service shop

vii. professional office

viii. sales outlet subject to the provisions of Section 2(b)(x)

ix. scientific, research or medical laboratory

x. warehouse

b) Zone Requirements ("MC-3" Zone)

No person shall within the lands designated "MC-3", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 hectares

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 12 metres

iv. SIDE YARD WIDTH (minimum): 4.5 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 45 percent

vii. BUILDING HEIGHT (maximum): 12 metres

viii. OPEN STORAGE OR DISPLAY: no open storage or display shall be permitted in any yard.

ix. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained a minimum of 2.1 parking spaces for each 93 square metres or part thereof of gross leasable floor area

x. SPECIAL RESTRICTIONS:

Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the aggregate of the gross leasable floor area of all the sales outlets does not exceed 20 percent of the gross leasable floor area of all the buildings on the lot.

15.17 Exception Zone 17 (By-law 1891-84)

1. Definitions

   a) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   b) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a portion thereof, as the case may be, other than a private garage, an attic or a cellar.

   c) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman.

   d) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

   e) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

   f) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

   g) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

   h) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

   i) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

   j) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

k) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

l) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("W-1" Zone)

No person shall within the lands designated "W-1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. warehouse

b) Zone Requirements ("W-1" Zone)

No person shall within the lands designated "W-1", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 15 metres

ii. SIDE YARD WIDTH (minimum): 4.5 metres

iii. REAR YARD DEPTH (minimum): 7.5 metres

iv. BUILDING HEIGHT (maximum): 12 metres

v. PARKING REQUIREMENTS (minimum): 50 parking spaces

vi. GROSS FLOOR AREA (maximum): 26,700 square metres

15.18 Exception Zone 18 (By-law 1893-84, as amended by By-law 2640-88)

1. Definitions

a) "Assembly Hall" shall mean a building or part of a building in which facilities are provided for purposes such as civic, educational, political, religious or social meetings and may include an auditorium or a banquet hall, but shall not include a place of amusement or entertainment;

b) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

c) "Body Shop" shall mean an establishment primarily engaged in repairing or painting vehicle bodies;

d) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres; but shall not include a retail store;

e) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership;

f) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreational facilities are provided and operated for gain or profit, and may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein.

g) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processing elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

h) "Dry Cleaning Establishment" shall mean a building or part of a building used for dry cleaning and related processes but does not include a laundromat.

i) "Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators,

and any part of the building below established grade other than that used for retail commercial or office purposes;

j) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

k) "Food Preparation Plant" shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

l) "Games Arcade" shall mean any building, room or area in which are offered facilities for the play of:

   i. three or more games of chance;

   ii. three or more games of mixed chance and skill; or

   iii. a combination of three or more games of games of chance and games of mixed chance and skill,

   for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but does not include premises in which the only amusement facilities offered are pool tables, billiard tables or bowling alleys.

m) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings? A the case may be, together with any accessory bu1ld1ngs or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

n) "Lot Coverage" shall mean the percentage of a lot covered by all buildings on the lot;

o) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

p) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment.

q) ''Manufacturing Plant'' shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.

r) "Light Manufacturing Plant" shall mean a manufacturing plant used for:

   i. the production of apparel and finished textile products other than the production of synthetic fibres;

ii. printing or duplicating;

iii. the manufacture of finished paper other than processing of wood pulp;

iv. the production of cosmetics, drugs and other pharmaceutical supplies; or

v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

s) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;

t) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a games arcade.

u) "Private Club" shall mean an athletic, recreational or social club not operated for gain or profit and having private membership;

v) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

w) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership;

x) "Restaurant-Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises.

y) "Retail Store" shall mean a building or part of a building where goods, wares, merchandise, foods, substances, articles or things are stored, kept and offered for retail sale to the public, but does not include any establishment otherwise defined herein;

z) "Sales Outlet" shall mean a building or part of a building accessory to a light manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced,

processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

aa) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises.

bb) 'Vehicle Repair Shop" shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels.

cc) “Vehicle Sales Shop” shall mean an establishment in which vehicles are displayed for sale, sold, or both.

dd) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

ee) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures or other uses as are specifically permitted thereon.

ff) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

gg) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building on the lot.

hh) "Rear Yard" shall mean a yard extending across the full width of I lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

ii) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

jj) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

kk) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

ll) "Flankage Side Yard" shall mean a yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

mm) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MC-4" Zone)

No person shall within the land designated "MC-4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. assembly hall
ii. bakery
iii. business office
iv. commercial club
v. commercial-recreational establishment
vi. dry cleaning depot, subject to the provisions of Section (b)(viii)(C)
vii. dry cleaning establishment
viii. food preparation plant
ix. light manufacturing plant
x. merchandise service shop
xi. private club
xii. professional office
xiii. public club
xiv. restaurant, type A, subject to the provisions of Section (b)(viii)(A)
xv. sales outlet, subject to the provisions of Section (b)(viii)(B)
xvi. scientific, research or medical laboratory
xvii. vehicle repair shop
xviii. warehouse
xix. vehicle sales shop

b) Zone Requirements ("MC-4" Zone)

No person shall within the lands designated "MC-4", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 hectares

ii. LOT FRONTAGE (minimum): 45 metres

iii. SETBACK REQUIREMENTS (minimum):

A. The boundary of the land designated "MC-4" which abuts Bayly Street (Regional Road No. 22) shall be deemed to be the front lot line and the minimum setback of any building or structure, except a sign from the front lot line shall be 12 metres.

B. The boundary of the land designated "MC-4" not abutting streets or highways shall be deemed to be the rear lot line and the minimum setback of any building or structure from the rear lot line shall be 7.5 metres.

C. All other boundaries of the land designated "MC-4" shall be deemed to be side lot lines and the minimum setback of any building or structure, except a sign, from the side lot line shall be 4.5 metres.

iv. BUILDING HEIGHT (maximum): 12 metres

v. LOT COVERAGE (maximum): 45 %

vi. PARKING REQUIREMENTS:

A. For the purpose of this clause "parking space" shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the subject lands a minimum of 3.5 parking spaces for each 93 square metres or part thereof of gross leasable floor area.

vii. OPEN STORAGE:

A. All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.

viii. SPECIAL RESTRICTIONS:

A. The gross floor area of all type A restaurants on a lot shall not exceed 35% of the gross floor area of all buildings on the lot.

B. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the gross floor area of the sales outlet does not exceed 20% of the gross floor area of the food preparation plant, light manufacturing plant, merchandise service shop or warehouse.

C. Dry Cleaning depots are permitted uses only if accessory to dry cleaning establishments and providing the gross floor area of the dry cleaning depot does not exceed 20% of the gross floor area of the dry cleaning establishment.

15.19 Exception Zone 19 (By-law 2092-85, as amended by By-law 7480-16)

1. Definitions

a) “Body Shop” shall mean an establishment primarily engaged in repairing or painting vehicle bodies.

b) “Floor Area” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

c) Gross Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes;

d) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

e) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

f) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

g) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels;

h) “Vehicle Sales or Rental Establishment” shall mean an establishment having as its main use the sale, service, rent or lease of vehicles and which may include an accessory vehicle repair shop, but shall not include any establishment engaged in the retail sale of vehicle fuels;

i) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

j) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

k) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

l) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

o) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

p) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

q) “Interior Side Yard” shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted (“CA3-2” Zone)

No person shall within the lands designated “CA3-2” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Vehicle sales or rental establishment

ii. Business Office

iii. Professional Office

b) Zone Requirements (“CA3-2” Zone)

No person shall within the lands designated “CA3-2”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 0.6 hectares

ii. Lot Frontage (minimum): 50.0 metres

iii. Front Yard Depth (minimum): 17.5 metres

iv. Interior Side Yard Width (minimum): 10.5 metres

v. Flankage Side Yard Width (minimum): 9.0 metres

vi. Rear Yard Depth (minimum): 10.5 metres

vii. Lot Coverage (maximum): 33 percent

viii. Building Height (maximum): 12.0 metres

ix. Parking Requirements:

A. For the purpose of this clause “parking space” shall mean a useable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway.

B. There shall be provided and maintained on the subject lands a minimum of 5.0 parking spaces for each 0.4 hectare or part thereof of lot area, plus 2.0 parking spaces for each 93 square metres or part thereof gross floor area.

C. Section 5.21.2 b) of By-law 2511, as amended, shall not apply to the lands designated “CA3-2”.

D. Notwithstanding Section 5.21.2 g) of By-law 2511, as amended, all parking areas shall be paved.

x. Special Provisions (“CA3-2” Zone)

A. Despite any provision of By-law 2511, as amended by By-law 2092/85, an automotive repair shop having a maximum gross floor area of 400 square metres is permitted in association with a Business Office.

15.20 Exception Zone 20 (By-law 2210-86)

1. Definitions

   a) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   b) "Floor Area-Non-Residential" shall mean the aggregate of the floor areas of all above and below grade storeys of all buildings and structures used for non-residential purposes, but shall exclude the floor area of any stairwells, elevators, and any part below established grade used exclusively for storage purposes;

   c) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

   d) "Marina-Type 1" shall mean an establishment having access to a navigable waterway and providing recreational boat mooring facilities for the public, and includes accessory uses such as the sale, rental, service and repair of boats, boat motors, and marine equipment accessory thereto, the sale of boat motor fuels, and marine offices;

   e) "Restaurant-type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

   f) "Restaurant-type C" shall mean a building or part of a building where food is prepared or offered or kept for retail sale to the public for take-out purposes only;

   g) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   h) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure Ion the lot;

   i) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted ("MR-1" Zone)

No person shall within the lands designated "MR-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. marina-type 1, subject to the provisions of paragraph (D) of subclause (v) of clause (c) of this subsection;

ii. restaurant-type A, subject to the provisions of paragraphs (A) and (C) of subclause (v) of clause (c) of this subsection;

iii. restaurant-type C, subject to the provisions of paragraphs (B) and (C) of subclause (v) of clause (c) of this subsection.

b) Temporary Uses Permitted ("MR-1" Zone)

Despite the provisions of clause 2(a) of this Section, the second storey of a building located on Lots 27 and 28, Plan M-89, Pickering, may be used for the purpose of a residential dwelling during the period of May 5, 1986 to May 5, 1989 subject to the provisions of paragraphs E and F of subclause (v) of clause (c) of this subsection.

c) Zone Requirements ("MR-1" Zone)

No person shall within the lands designated "MR-1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 5 metres

ii. BUILDING HEIGHT (maximum): 12 metres

iii. FLOOR AREA-NON RESIDENTIAL (maximum): 980 square metres

iv. PARKING REQUIREMENTS

A. For the purpose of this clause, "parking space" shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained a minimum of 68 parking spaces on lands designated "MR-1";

C. Section 5.21. 2b) of By-law 2511, as amended, shall not apply to the lands designated "MR-1";

D. Notwithstanding the provision of Section 2.2.1 of By-law 2511 as amended, a one-way traffic aisle shall provide a minimum perpendicular width of 3.5 metres,

v. SPECIAL REGULATIONS:

A. The gross leasable floor area of all restaurants-type A shall not exceed 93 square metres;

B. The gross leasable floor area of all restaurants-type C shall not exceed 17 square metres;

C. Restaurant-type A and Restaurant-type C may only be permitted as accessory uses to a marina-type 1 use;

D. No more than 80 boats shall be moored or docked at any one time;

E. The floor area-residential of any temporary residential dwelling shall not exceed 248 square metres;

F. A temporary residential use shall only be permitted if accessory and incidental to a marina-type 1.

15.21 Exception Zone 21 (By-law 2234-86, as amended by By-law 6902-08)

1. Definitions

a) “Building Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

b) “Dry Cleaning Establishment” shall mean a building or part of a building used for dry cleaning and related processes but does not include a laundromat;

c) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or a branch thereof;

d) “Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes;

e) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

f) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets.

g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) ”Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

i) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

j) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.

k) “Light Manufacturing Plant” shall mean a manufacturing plant use for:

   i. the production of apparel and finished textile products other than the production of synthetic fibres;

   ii. printing or duplicating;

   iii. the manufacture of finished paper other than the processing of wood pulp;

   iv. production of cosmetics, drugs and other pharmaceutical supplies; or

   v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware, or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.

l) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store.

m) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

n) “Sales Outlet” shall mean a building or part of a building accessory to a light manufacturing plant, a food preparation plant, merchandise service shop, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

o) “Scientific, Research or Medical Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

p) “Truck Centre” shall mean land or premises where trucks or tractor trailers are repaired fueled or serviced, or kept for sale, rental, hire or lease, or where truck or tractor trailer parts or accessories are kept or displayed for rent or for wholesale or retail sale.

q) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

r) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

s) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

t) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

u) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

w) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

x) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

y) Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

z) “Interior Side Yard” shall mean a side yard other than a flankage side yard;

aa) “Waste” shall mean material which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a useable product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process;

bb) “Waste, Hazardous” shall mean any substance or material that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance;

cc) “Waste Processing Station” shall mean a facility within an enclosed building whose primary purpose is the sorting and processing of waste to create a new product or raw material on site; and,

dd) “Waste Transfer Station” shall mean a facility within an enclosed building whose primary purpose is the collection and storage of waste or hazardous waste for shipment, and which may include limited sorting or preparation of that waste to facilitate its shipment for final disposal or to a waste processing station, but does not include salvage yards or scrap metal yards.

2. PROVISIONS

a) Uses Permitted (“MC-6” Zone)

No person shall within the lands designated “MC-6” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. All uses permitted under “M1” Zone
ii. business office
iii. dry cleaning establishment
iv. financial institution
v. food preparation plant
vi. light manufacturing plant
vii. merchandise service shop
viii. professional office
ix. sales outlet subject to the provisions of Section (b)(xi)(A)
x. scientific, research or medical laboratory
xi. truck centre
xii. warehouse
xiii. waste processing station
xiv. waste transfer station

b) Zone Requirements (“MC-6” Zone)

No person shall within the lands designated “MC-6”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 hectares

ii. LOT FRONTAGE (minimum): 45 metres

iii. FRONT YARD DEPTH (minimum) 12 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 12 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 45 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. OUTDOOR STORAGE:

A. Outdoor storage shall be permitted in any yard except the front yard so long as the area used for outdoor storage purposes does not exceed 30 percent of the area of the lot

B. Despite Section (b)(xi)(A) of this by-law, outdoor storage, railway trackage and loading facilities be permitted in the hatched area shown on Figure 1.

x. PARKING REQUIREMENTS:

A. For the purpose of this clause, “parking space” shall mean a usable and accessible area of not less than 15.95 square metres, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway

B. Subsection 5.21.2b) of By-law 2511 shall not apply to the area set out on Figure 1 attached hereto.

C. Section 5.21.2a) of By-law 2511, shall not apply on the hatched area shown on Figure 1 of this by-law.

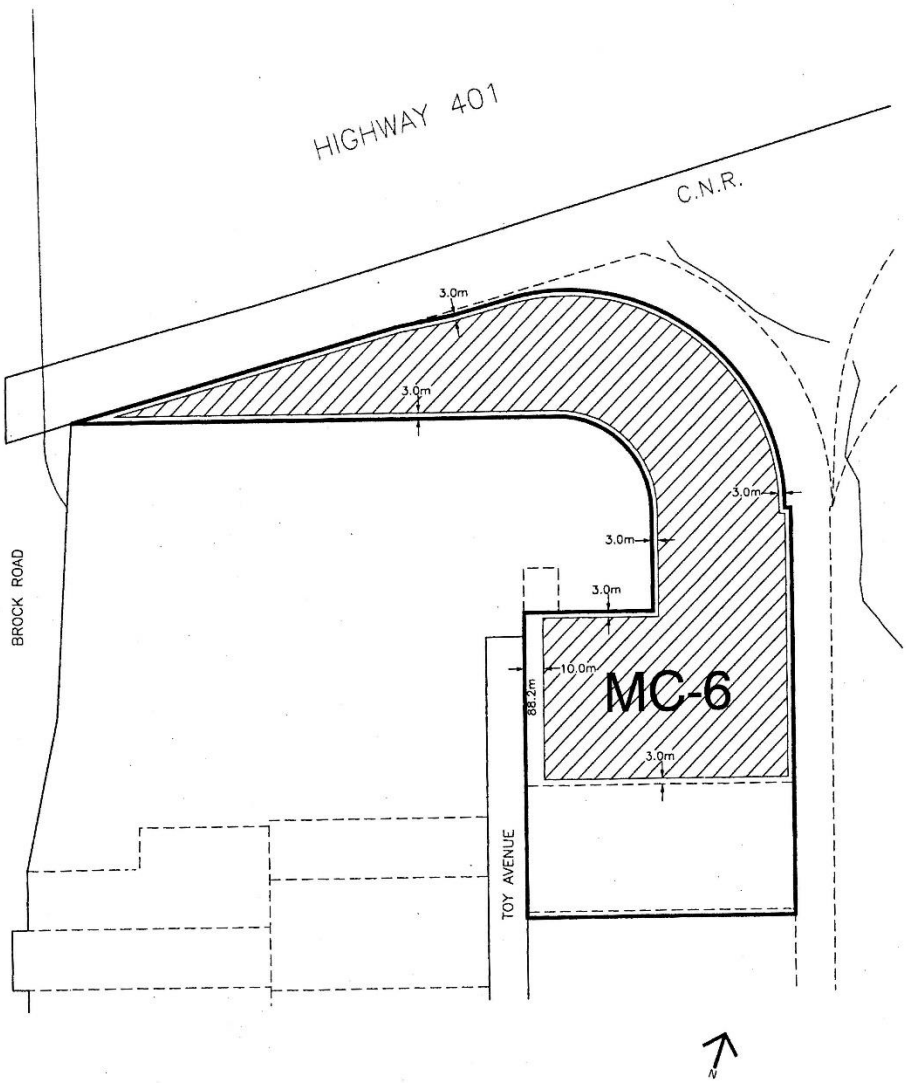
xi. SPECIAL REGULATIONS:

A. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the gross floor area of the sales outlet does not exceed 20 percent of the gross floor area of the food preparation plant, light manufacturing plant, merchandise service shop or warehouse.

B. Existing railway spurs prior to the passing of this by-law are permitted to encroach beyond the hatched area shown on Figure 1.

C. Despite Section 2.74.1 and 5.19(c) of By-law 2511, temporary storage tank containers located in the hatched area shall not exceed 6.0 metres in height.

3. Figure 1



SCHEDULE I TO BY-LAW 6902/08
PASSED THIS 20th
DAY OF OCTOBER 2008

15.22 Exception Zone 22 (By-law 4732-96)

1. Definitions

a) "Adult Entertainment Parlour" shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

b) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

c) "Body Shop" shall mean a building or part of a building engaged in repairing or painting vehicle bodies;

d) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a public or private agency, a business, a brokerage, or a labour or fraternal organization, and includes an office accessory to a permitted use;

e) "Commercial Club" shall mean an athletic or recreational club operated for gain or profit and having public or private membership;

f) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreational facilities are provided and operated for gain or profit, and which may include an arena or a stadium, but shall not include a place of amusement or entertainment as defined herein;

g) "Dry-Cleaning Depot" shall mean a building or part thereof used for the purpose of receiving articles or goods or fabrics to be subjected to the process of dry-cleaning or laundering elsewhere and distribution of articles or goods which have been subjected to any such process;

h) "Dry-Cleaning Establishment" shall mean a building where dry-cleaning, dry-dyeing, cleaning or pressing of articles or goods of fabric is carried on, but does not include a spotting and stain removing establishment, hand laundry, machine laundry or a wholesale dyeing plant;

i) "Food Preparation Plant" shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

j) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

k) "Light Manufacturing Plant" shall mean a manufacturing plant used for:

   i. the dry cleaning, pressing or laundering of garments;

   ii. the production of apparel and finished textile products other than the production of synthetic fibers;

   iii. printing or duplicating;

   iv. the manufacture of finished paper and allied products other than the processing of wood pulp;

   v. the production of cosmetics, drugs and other pharmaceutical supplies; or

   vi. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewelry, watches, precision instruments, radios and electronic components;

l) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

m) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;

n) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a games arcade, an adult entertainment parlour as defined herein or a body rub parlour as defined in Section 224(9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time to time, or any successor thereto;

o) "Place of Assembly" shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment;

p) "Private Club" shall mean an athletic, recreational or social club, and includes the premises of a fraternal organization; but shall not include an adult entertainment parlour as defined herein or a body rub parlour as

defined in Section 224(9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time to time, or any successor thereto;

q) "Professional Office" shall mean a building or part of a building in which legal, medical or other professional service is performed, or consultation given, and may include a clinic, and the offices of a lawyer, an architect, an engineer, a chartered accountant, a real estate agent or an insurance agent but shall not include a body-rub parlour as defined in Section 224(9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto;

r) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership; but shall not include an adult entertainment parlour as defined herein or a body rub parlour as defined in Section 224(9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time to time, or any successor thereto;

s) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on or off the premises, or both; but shall not include an adult entertainment parlour as defined herein;

t) "Sales Outlet" shall mean a building or part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

u) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations are manufactured or otherwise prepared for use on the premises;

v) "Vehicle Repair Shop" shall mean a building or part of a building containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels;

w) "Vehicle Sales Shop" shall mean a building or part of a building in which vehicles are displayed for sale, sold or both;

x) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food-stuff,

substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

y) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. Provisions

a) Uses Permitted ("MC-10" Zone)

No person shall within the lands designated "MC-10" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. bakery
ii. business office
iii. commercial club
iv. commercial recreation establishment
v. dry cleaning depot, subject to the provisions of Section 2(b)(v)(E)
vi. dry cleaning establishment
vii. food preparation plant
viii. light manufacturing plant
ix. merchandise service shop
x. place of assembly
xi. private club
xii. professional office
xiii. public club
xiv. restaurant - type A
xv. sales outlet, subject to the provisions of Section 2(b)(v)(D)
xvi. scientific, research or medical laboratory
xvii. vehicle repair shop
xviii. vehicle sales shop
xix. warehouse

b) Zone Requirements ("MC-10" Zone)

No person shall within the lands designated "MC-10" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. SETBACK REQUIREMENTS (minimum): as illustrated on Figure 1 attached hereto;

ii. BUILDING HEIGHT (maximum): 12 metres;

iii. OUTDOOR STORAGE:

No outdoor storage or display, including the storage and display of motor vehicles, shall be permitted in any yard;

iv. PARKING REQUIREMENTS:

A. For the purpose of this clause "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. On the lands designated "MC-10", there shall be provided and maintained a minimum of 74 parking spaces;

v. SPECIAL REGULATIONS:

A. Despite the provisions in Section (2)(b)(iv)(B), the aggregate gross leasable floor area of all bakeries, business offices, commercial clubs, commercial recreational establishments, dry cleaning depots, merchandise service shops, places of assembly, private clubs, professional offices, public clubs, restaurants - type A, sales outlets and vehicle sales shops shall be limited to:

1) 35 percent of the total gross leasable floor area of all buildings on the lot provided a minimum of 90 parking spaces are provided and maintained on the site;

2) 25 percent of the total gross leasable floor area of all buildings on the lot provided a minimum of 74 parking spaces are provided and maintained on the site;

B. The aggregate gross leasable floor area of all Restaurants - type A shall not exceed 250 square metres;

C. No Restaurant - type A shall include drive-through, order or pick-up services;

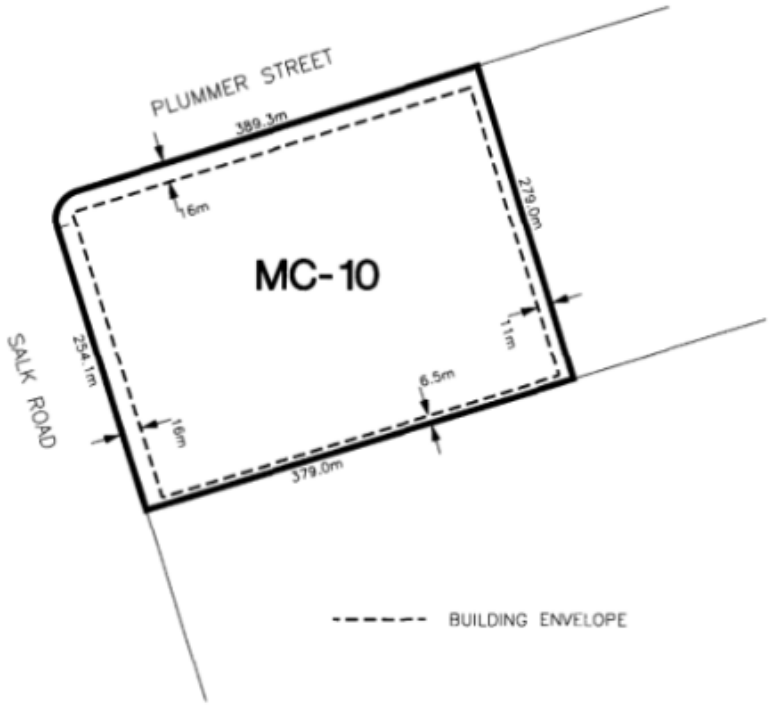
D. A sales outlet shall be permitted only if accessory to a food preparation plant, light manufacturing plant, merchandise service shop, warehouse or bakery and provided that the gross leasable floor area of the sales outlet does not exceed 20 percent of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, warehouse or bakery;

E. A dry-cleaning depot shall be permitted only if accessory to a dry-cleaning establishment and provided the gross leasable floor area of the drycleaning depot does not exceed 20 percent of the gross leasable floor area of the drycleaning establishment;

F. The gross leasable floor area of all buildings shall not exceed 4,225 square metres.

3. By-law 2511, as amended, is hereby further amended only to the extent necessary to give effect to the provisions of this By-law as it applies to the area subject to this By-law. Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 2511, as amended, except that subsections 5.21.2 a) and 5.21.2 b) shall not apply to the area subject to this exception.

4. Figure 1



SCHEDULE I TO BY-LAW 4732/96
PASSED THIS 19th
DAY OF February **1996**

MAYOR

CLERK

15.23 Exception Zone 23 (By-law 1399-81, as amended by By-law 1862-84 and By-law 5707-00)

1. Definitions

   a) “Day Nursery, Type A" shall mean the lands and premises duly licensed pursuant to the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of not more than forty (40) children at any one time.

   b) "Public School" shall mean,

      i. a school under the jurisdiction of a board of education which board is established pursuant to The Education Act, 1974, or any successor thereto;

      ii. a college of applied arts and technology established pursuant to the Ministry of Colleges and Universities Act, 1971, or any successor thereto;

      iii. a university eligible to receive provincial funding from the Minister of Colleges and Universities, pursuant to The Universities Act, 1971, or any successor thereto.

   c) "Private Non-Residential School" shall mean a school which is maintained for educational or religious purposes but shall not include any other school defined herein.

   d) "Private Residential School" shall mean a school which is maintained for educational or religious purposes and which includes accessory residential facilities but shall not include any other school defined herein.

   e) "Commercial School" shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein.

2. Permitted Uses

   a) Notwithstanding any of the provisions of this By-law, in addition to any other uses that may be permitted thereon, the lands designated "R4(DN)" may be used for the purpose of a Day Nursery, Type A.

   b) Notwithstanding any of the provisions of this By-law, in addition to any other uses that may be permitted thereon, the lands designated “R4(DN)" may be used for the purpose of a Private Non-Residential School.

3. Special Restrictions For a Day Nursery, Type A and a Private Non-Residential School

   a) The aggregate of

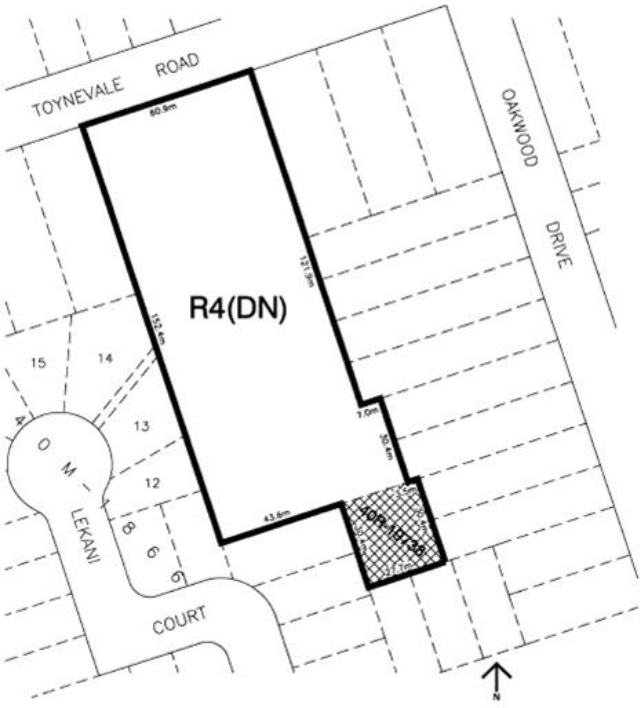
      i. the number of children enrolled in each day nursery, type A and

      ii. the number of persons enrolled in each private non-residential school shall not exceed 100 at any one time.

   b) Notwithstanding any other provisions of this by-law, no buildings or structures shall be erected within those lands designated “R4(DN)” and cross-hatched on Figure 1.

   c) Despite section (3)(n) above, fences and recreational equipment may be erected within those lands designated “R4(DN)” and cross-hatched on Figure 1.

4. Figure 1



SCHEDULE I TO BY-LAW 5707/00
PASSED THIS 26th
DAY OF June 2000

MAYOR

CLERK

15.24 Exception Zone 24 (By-law 1972-85)

1. Despite the provisions of Section 5.21.1 of By-law 2511, for the lands designated "M2S" minimum off-street parking shall be provided thereon at the rate of 1 parking space per 126 square metres or part thereof of gross floor area.
2. The provisions of clauses (a) and (b) of Section 5.21.2 of By-law 2511 shall not apply to the lands designated "M2S".

15.25 Exception Zone 25 (By-law 188-75)

1. Notwithstanding the provisions of Section 16.1, 16.2, and 16.3 of By-law 2511 a fraternity meeting hall may be operated on that part of Lot 30, Range 3 of the Town of Pickering designated as "M1 (Specific)" in addition to the uses set out in said Section 16.1.

15.26 Exception Zone 26 (By-law 1522-82)

1. Definitions

   a) For the purpose of this subsection "Truck Centre" shall mean land or premises where trucks or tractor trailers are repaired, fueled or serviced, or are kept for sale, rental, hire or lease, or where truck or tractor trailer parts or accessories are kept or displayed for rent or for wholesale or retail sale.

2. Provisions

   a) In addition to the provisions of Section 16.1 of By-law 2511, the lands designated M1-3 may be used for the purpose of a truck centre in accordance with Section 16.2 provided that the following requirements are met:

      i. Outdoor storage shall be permitted in any yard except the front yard so long as the area used for outdoor storage purposes does not exceed 30 percent of the area of the lot.

      ii. Retail sale of trucks, tractor trailers or associated truck or tractor trailer parts or accessories may be permitted only in combination with a truck centre provided that no more than 20%of the gross floor area of the building or buildings on the lot is used for retail sale purposes.

15.27 Exception Zone 27 (By-law 2865-88)

1. Definitions

a) "Church" shall mean a building dedicated to religious worship and may include a Sunday School or Parish hall as an accessory use;

b) "Day Nursery" shall mean lands and premises duly licenced pursuant to the provisions of the Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

c) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

d) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

e) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

f) "Lot Coverage" shall mean the percentage of lot area covered all buildings on the lot.

g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

h) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

i) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

j) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

k) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

l) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

n) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

p) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

q) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("I(C)-DN(1)" Zone)

No person shall within the lands designated "I(C)-DN(1)" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. church

ii. day nursery

b) Zone Requirements ("I(C)-DN(1)" Zone)

No person shall within the lands designated "I(C)-DN(1)" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 hectare

ii. LOT FRONTAGE (minimum): 45 metres

iii. FRONT YARD DEPTH (minimum): 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 7.5 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 33 percent

vii. PARKING REQUIREMENTS (minimum):

there shall be provided and maintained one parking space per four persons church capacity

viii. SUPPLEMENTARY PARKING REGULATIONS:

Section 5.21.2a) and Section 5.21.2b) of By-law 2511, as amended, shall not apply

ix. SPECIAL REGULATIONS:

a day nursery may be permitted only in a church building on the site

15.28 Exception Zone 28 (By-law 2760-88, as amended by By-law 6704-06)

1. Definitions

a) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

b) "Body Rub" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario;

c) "Body Rub Parlour" includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purposes of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario;

d) "Body Shop" shall mean an establishment engaged in repairing or painting vehicle bodies;

e) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

f) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership;

g) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreation facilities are provided and operated for gain or profit, and which may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein;

h) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

i) "Dry Cleaning Establishment" shall mean a building or part of a building used for dry cleaning and related processes but does not include a laundromat;

j) "Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes;

k) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

l) "Food Preparation Plant" shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

m) "Games Arcade" shall mean any building, room or area in which are offered facilities for the play of:

   i. three or more games of chance;

   ii. three or more games of mixed chance and skill, or

   iii. a combination of three or more games of chance and games of mixed chance and skill;

   for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but does not include premises in which the only amusement facilities offered are pool tables, billiard tables or bowling alleys;

n) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

o) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

p) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

q) "Laundromat" shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

r) "Manufacturing Plant" shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

s) "Light Manufacturing Plant" shall mean a manufacturing plant used for:

i. the production of apparel and finished textile products other than the production of synthetic fibres;

ii. printing or duplicating;

iii. the manufacture of finished paper other than processing of wood pulp;

iv. the production of cosmetics, drugs and other pharmaceutical supplies; or

v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

t) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;

u) "Place of Amusement or Entertainment" shall mean a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a games arcade;

v) "Place of Assembly" shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment;

w) "Private Club" shall mean an athletic, recreational or social club not operated for gain or profit and having private membership;

x) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

y) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership;

z) "Restaurant-Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

aa) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

bb) "Sales Outlet" shall mean a building or part of a building accessory to a light manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

cc) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

dd) "Vehicle Repair Shop" shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels;

ee) "Vehicle Sales Shop" shall mean an establishment in which vehicles are displayed for sale, sold or both;

ff) "Warehouse" shall mean a building or part of a building which is used for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

gg) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. Provisions

a) Uses Permitted ("MC-7" Zone)

No person shall within the lands designated "MC-7" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. bakery
ii. body-rub parlour
iii. business office
iv. commercial club
v. commercial-recreational establishment
vi. dry cleaning depot, subject to the provisions of section 2(d)(vii)
vii. dry cleaning establishment
viii. food preparation plant
ix. light manufacturing plant
x. merchandise service shop
xi. place of assembly
xii. private club
xiii. professional office
xiv. public club
xv. restaurant, type A, subject to the provisions of section 2(d)(iii)
xvi. sales outlet, subject to the provisions of section 2(d)(vi)
xvii. scientific, research or medical laboratory
xviii. vehicle repair shop
xix. vehicle sales shop
xx. warehouse

b) Zone Requirements ("MC-7" Zone)

No person shall within the lands designated "MC-7" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. SETBACK REQUIREMENTS (minimum): as illustrated on Figure 1 attached hereto
ii. BUILDING HEIGHT (maximum): 12 metres
iii. OPEN STORAGE: all uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display

c) PARKING REQUIREMENTS:

i. For the purpose of this clause "parking space" shall mean a useable and accessible area of not less than 2.6 metres in width and not less

than 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

ii. There shall be provided and maintained on the subject lands a minimum of:

A. 4.5 spaces per 100 square metres gross leasable floor area for the first 465 square metres; and

B. 3.6 spaces per 100 square metres gross leasable floor area for the next 465 square metres; and

C. 2.2 spaces per 100 square metres gross leasable floor area for the next 465 square metres; and

D. 2.4 spaces per 100 square metres gross leasable floor area for the next 5,110 square metres; less

E. 10 percent of the number of parking spaces required under A,B,C and D above;

d) SPECIAL REGULATIONS

i. No more than one building may be constructed and maintained;

ii. The gross leasable floor area of the building shall not exceed 4,590 square metres;

iii. No more than one restaurant - type A shall be established and shall not exceed a gross leasable floor area of 625 square metres;

iv. All bakeries, commercial clubs, commercial-recreational establishments, dry cleaning depots, merchandise service shops, places of assembly, private clubs, public clubs, restaurant - type A, sales outlets, vehicle repair shops and vehicle sales shops shall be restricted to those units that front either Plummer Street or Brock Road;

v. The aggregate gross leasable floor areas of all bakeries, business offices, commercial clubs, commercial-recreational establishments, dry cleaning depots, merchandise service shops, places of assembly, private clubs, professional offices, public clubs, restaurant - type A, sales outlets, vehicle repair shops and vehicle sales shops shall not exceed 2,2l0 square metres;

vi. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops, warehouses or bakeries, and providing the gross leasable floor area of the sales outlet does not exceed 20% of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, warehouse or bakery;

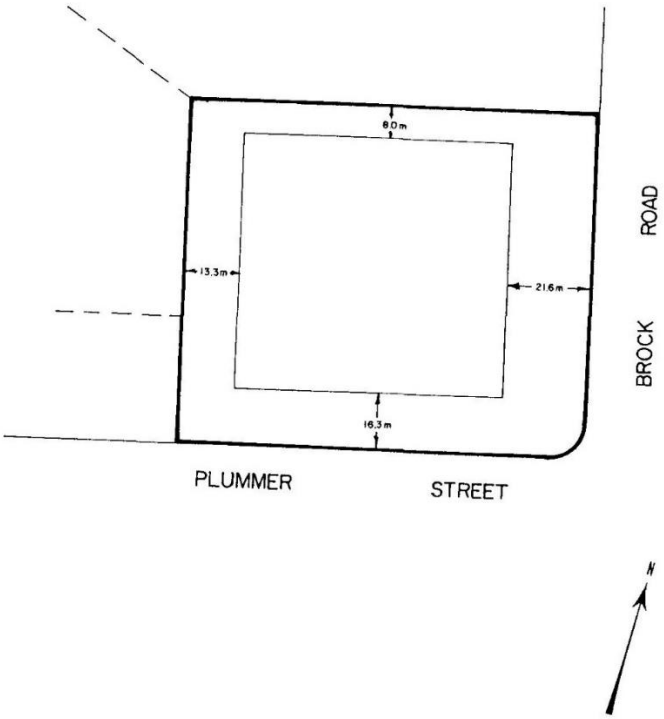
vii. Dry cleaning depots are permitted uses only if accessory to dry cleaning establishments and providing the gross leasable floor area of the dry cleaning depot does not exceed 20% of the gross leasable floor area of the dry cleaning establishment.

viii. No more than one body-rub parlour shall be permitted and the aggregate gross leasable floor area of the body-rub parlour shall not exceed 150 square metres;

ix. A body-rub parlour shall be restricted to those units that do not front either Plummer Street or Brock Road;

3. Definitions and subject matters not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law 2511, as amended, except that subsection 5.21.2 a) and 5.21.2 b) shall not apply to the area subject to this exception.

4. Figure 1



SCHEDULE II TO BY-LAW 2760/88

PASSED THIS 19th

DAY OF September 1988

MAYOR (JOHN E. ANDERSON)

CLERK (BRUCE J. TAYLOR)

15.29 Exception Zone 29 (By-law 4062-92)

1. Despite the provisions of Section 14.1 of By-law 2511, the lands designated “C2/GS3” located in Part of Lot 28, Range 3, B.F.C., may not be used for the purposes of an automobile service station, but may be used for the purposes of a gasoline retail outlet in accordance with the provisions of Sections 14.2 and 14.3 of By-law 2511.

15.30 Exception Zone 30 (By-law 4139-92)

1. Definitions

a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

e) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, or below grade, or both above and below grade;

f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S-SD-1" Zone)

No person shall within the lands designated "S-SD-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi-detached dwelling residential use

b) Zone Requirements ("S-SD-1" Zone)

No person shall within the lands designated "S-SD-1" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum):

A. where no dwelling units fronting the same street exist on the lots on either side, the minimum front yard depth shall be 4.5 metres

B. where only one dwelling unit fronting the same street exists on the lots on either side, the minimum front yard depth shall be the average of the front yard depth of that dwelling and 4.5 metres

C. where a dwelling unit fronting the same street exists on each lot on either side, the minimum front yard depth shall be the average of the front yard depths of each of those dwellings

c) INTERIOR SIDE YARD WIDTH:

i. for single detached dwellings:

A. no minimum one side, minimum 1.2 metres other side or B minimum 0.6 metres both sides

ii. for semi-detached dwellings: minimum 1.2 metres, except that,

A. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

B. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

C. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line;

1) minimum 1.2 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is not provided on the other lot, or

2) minimum 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

d) FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

e) REAR YARD DEPTH (minimum): 7.5 metres

f) LOT COVERAGE (maximum): 45 percent

g) BUILDING HEIGHT (maximum): 7.5 metres

h) DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 60 square metres

i) PARKING REQUIREMENTS: minimum one parking space being at least 2.6 metres in width and 5.3 metres in length per lot

j) SPECIAL REGULATIONS:

i. The minimum horizontal separation distance between a dwelling on a lot and any building or structure on any abutting lot shall be 1.2 metres.

ii. All accessory buildings or structures which are not part of the main building shall be erected in the rear or side yard with no minimum setback required from any lot line.

iii. The maximum height of any accessory building or structure shall be 4.5 metres;

iv. Despite the definition of "Dwelling, Semi-Detached or Semi-Detached Dwelling" in Section 1(e) a Semi-Detached Dwelling erected in a "S-SD-1" zone shall be attached above grade by a common wall which shall be not less than 3.0 metres in length and not less than 2.4 metres in height.

3. Holding Symbol

a) Prior to an amendment to remove the "(H)" holding symbol preceding the use designation "S-SD-1" the following conditions shall be met:

i. the land to which the "(H)" holding symbol applies shall be fully serviced, to the lot line, with municipal sanitary sewers and water supply; and

ii. Waterpoint Street shall be dedicated as a public highway.

b) Despite the provisions of clause 2(a) while the "(H)" holding symbol is in place no person shall within the lands designated "(H) S-SD-1", use any lot or erect alter or use any buildings or structure for any purpose except detached dwelling residential uses in accordance with the provisions of Section 10 of By-law 2511, as amended.

4. Definitions and subject matters not specifically dealt with in this By-law shall be governed by the relevant provisions of By-law 2511, as amended, except that Section 5.8 shall not apply to the area subject to this By-law.

15.31 Exception Zone 31 (By-law 4354-73, as amended by By-law 4470-73)

1. Definitions

   a) "Building Height" shall mean the vertical distance measured from the average elevation of the finished grade at the front wall of the building to the base of the eaves of the said building.

   b) "Coverage" shall mean the percentage of lot area covered by all buildings.

   c) "Dwelling" shall mean one or more rooms, occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   d) "Dwelling Types"

      i. Bungalow shall mean one storey dwelling.

      ii. Split Level dwelling shall mean a dwelling in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between such levels always being less than a full storey.

      iii. Storey and Half dwelling shall mean a dwelling containing a half storey wholly or in part within the roof having a floor area equal to at least 50% of the area of the first storey.

      iv. Two Storey dwelling shall mean a dwelling containing two storeys.

   e) "Dwelling zones"

      i. Single detached zone is an area where each dwelling is free standing and separated from other uses by yards.

      ii. Semi detached zone is an area where two dwellings may be joined horizontally in whole or in part and above and/or below grade and the two dwellings are separated from other uses by yards.

   f) "Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel and 20' from the street line.

   g) "Ground Floor Area" shall mean the area of the building based on the exterior dimensions of the said building or buildings.

   h) "Private Garage" means an enclosed or partially enclosed structure for the storage of one or more vehicles. in which no business, occupation or service is conducted for profit.

   i) “Yards”

      i. Front Yard shall mean the space between the main front wall of a building and a street extending the full width of the lot.

ii. Side Yard shall mean the space between a main side wall of a building and a side lot line, extending from the front yard to the rear yard.

iii. Rear Yard shall mean the space between a main rear wall of a building and the rear lot line, and extending the full width of the lot.

iv. Flankage Yard shall mean the space between a main wall of a building and a side lot line bounding on a public street and extending from front lot line to rear lot line.

2. Provisions

a) The performance standards and provisions as set out in Figure 1 hereto shall apply to the area restricted by this by-law.

3. Figure 1

ZONE	SYMBOL	MAXIMUM DENSITY		MINIMUM YARDS			MINIMUM GROUND FLOOR AREA/DWELLING (SQ. M.)			MINIMUM PARKING SPACES/DWELLING
		Minimum Frontage	Min. Lot Area/Dwelling	FRONT	SIDE & FLANKAGE	REAR	Bung.	Split or 1 ½	2 Storey	
Single-detached Dwelling	S	1 dwelling per Registered Lot 15.0 metres	460 sq.m	4.5 m	1.2 m side 2.7 m flankage	7.5 m	110	74	65	Each dwelling shall have one private garage set back at least 6 metres from a street in addition to the minimum ground floor requirement
Semi-detached dwellings	SD	2 dwellings per Registered lot 19.5 metres 21 metres corner lot	320 sq.m	4.5 m	1.2 m side 2.7 m flankage	7.5 m	110	74	65	

a) Provisions:

i. Maximum building height – 10.5 metres

ii. Maximum building coverage – 33%

iii. Where semi-detached dwellings are attached in part or below grade and separated above grade, such separation shall be a minimum of 1.2 metres

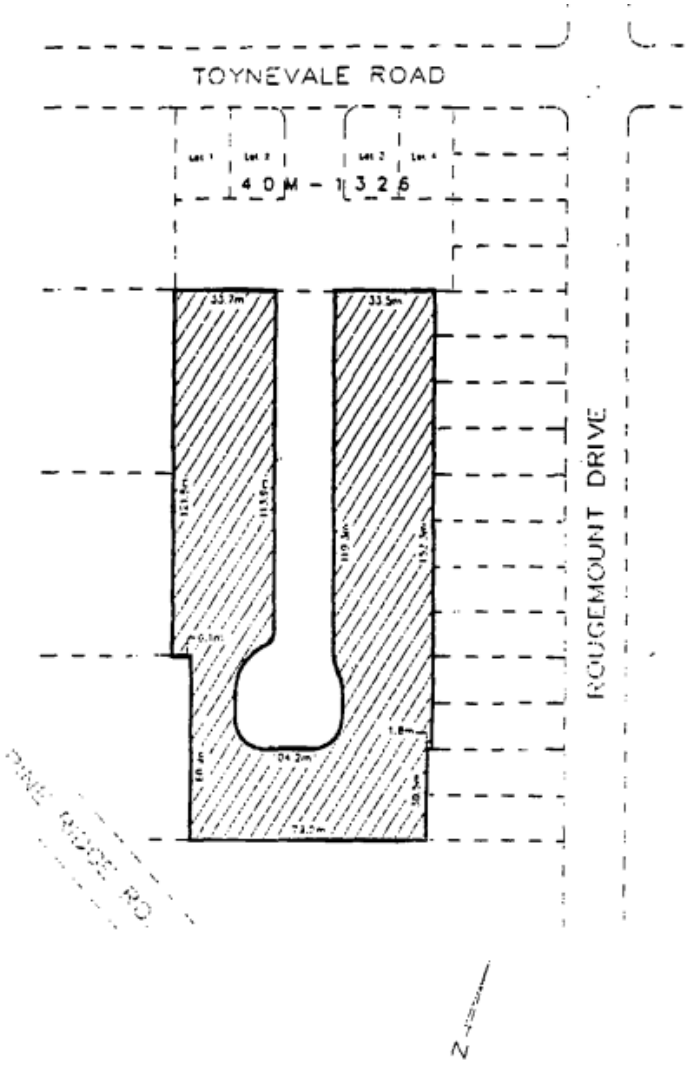
15.32 Exception Zone 32 (By-law 4342-73)

1. Notwithstanding the provisions of section 18 of By-law 2511, Open Storage shall not be permitted on the lands within 15 metres of the property boundaries of the parcel subject to this exception.

15.33 Exception Zone 33 (By-law 4359-93)

1. Notwithstanding subsections 10.2.3 and 10.2.6 of By-law 2511, for the lands hatched on Figure 1 and located in Part of Lots 1 to 8, Plan 395 and Part of Lot 34, Plan 350 in the Town of Pickering, the minimum front yard requirement is 6.0 metres and the maximum lot coverage is 38 percent.

2. Figure 1



SCHEDULE 1 TO BY-LAW 4359/93
as made by
Ontario Municipal Board

15.34 Exception Zone 34 (By-law 3132-89)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Semi-Detached Dwelling - Attached Below Grade" shall mean one of a pair of single dwellings which are attached together horizontally in whole or in part below grade only and are separated from other main buildings by yards.

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or pen space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S" Zone)

No person shall within the lands designated "S" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential uses

b) Zone Requirements ("S" Zone)

No person shall within the lands designated "S" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 450 square metres

ii. LOT FRONTAGE (minimum):

15.0 metres, except that in the case of a corner lot the minimum lot frontage shall be 17.0 metres

iii. FRONT YARD DEPTH (minimum):

6.0 metres, except that for those lots with front lot lines abutting Rosebank Road, the minimum front yard depth shall be 7.6 metres

iv. SIDE YARD WIDTH (minimum): 1.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 4.0 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 35 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street, except that for the lots with front lot lines abutting Rosebank Road, any vehicular entrance to a private garage shall be located not less than 7.6 metres from the front lot line

c) Uses Permitted ("SD-B" Zone)

No person shall within the lands designated "SD-B" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling attached below grade only residential uses

d) Zone Requirements ("SD-B" Zone)

No person shall within the lands designated "SD-B" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 320 square metres

ii. LOT FRONTAGE (minimum):

10.5 metres, except that in the case of a corner lot the minimum lot frontage shall be 12.0 metres

iii. FRONT YARD DEPTH (minimum): 6.0 metres

iv. SIDE YARD WIDTH:

1.5 metres, except that in the case of an interior side yard between a pair of attached single dwellings the minimum shall be 0.9 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 4.0 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 35 percent

viii. BUILDING HEIGHT (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS:

minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

15.35 Exception Zone 35 (By-law 3572-90)

1. Definitions

   a) "Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators and vehicle parking spaces within the building;

   b) "Funeral Home" shall mean a building or part of a building where funerals are conducted and shall be limited to such facilities as chapels, visitation rooms, administrative offices, rooms for the preparation of the deceased, display rooms for the storage of caskets and garages for hearses and other equipment but shall not include a single detached dwelling;

   c) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such a lot constitutes the whole of a lot or block on a registered plan of subdivision;

   d) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   e) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   f) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

   g) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

   h) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

   i) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

   j) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line, the

junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

k) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

l) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

m) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street

n) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the 1ot 1ine adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

o) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("FH" Zone}

No person shall within the lands designated "FH" any lot or erect, alter or use any building or structure for any purpose except the following:

i. funeral home

b) Zone Requirements ("FH" Zone}

No person shall within the lands designated "FH" any lot or erect, alter or use any building except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum) 9.0 metres

ii. INTERIOR SIDE YARD WIDTH (minimum)

6.0 metres from northerly side yard; 1.5 metres from southerly side yard

iii. REAR YARD DEPTH (minimum) 80.0 metres

iv. BUILDING HEIGHT (maximum) 10.0 metres

v. OPEN STORAGE: non permitted

vi. PARKING REQUIREMENTS:

A. For the purpose of this clause "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway

B. There shall be provided and maintained on the lot a minimum of 45 parking spaces and the parking lot must be capable of accommodating the parking of 45 additional vehicles. Any future expansion of the funeral home must meet a minimum standard of 5 parking spaces per 100 square metres of floor area

C. Despite Section 5.21.2(g) of By-law 2511, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof; and

D. Section 5.21.2(b) of By-law 2511, as amended shall not apply to the lands designated "FH".

vii. SPECIAL REGULATIONS:

A. No more than one building may be constructed and maintained; and

B. The floor area of a funeral home shall not exceed 1,270 metres.

15.36 Exception Zone 36 (By-law 3893-91)

1. Definitions

   a) "Body Shop" shall mean an establishment engaged in repairing or painting vehicle bodies;

   b) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a rea estate or insurance agent, or a radio or television broadcasting station and related studios or theaters, but shall not include a retail store;

   c) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreation facilities are provided and operated for gain or profit, and which may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein;

   d) "Dry Cleaning Establishment - Non-Venting" shall mean a building or part of a building where a dry cleaning plant, with a dry weight capacity of 60 pounds which does not vent gases or odours and is operated separately or in association with dry-dyeing, cleaning, laundering, pressing or incidental tailoring or repair of articles or goods of fabric is carried on, in which only non-flammable fabrics are or can be used which do not emit noxious odours or fumes and in which no noise or vibration causes a nuisance to neighbouring premises;

   e) "Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes;

   f) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Manufacturing Plant" shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

i) "Light Manufacturing Plant" shall mean a manufacturing plant used for:

   i. the production of apparel and finished textile products other than the production of synthetic fibres;

   ii. printing or duplicating;

   iii. the manufacture of finished paper other than processing of wood pulp;

   iv. the production of cosmetics, drugs and other pharmaceutical supplies; or

   v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

j) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;

k) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a games arcade or an adult entertainment parlour as defined in the Municipal Act, as amended from time to time, or any successor thereto;

l) "Sales Outlet" shall mean a building or part of a building accessory to a light manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

m) "Vehicle Repair Shop" shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels;

n) "Vehicle Sales or Rental Establishment" shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory thereto a vehicle repair shop, but shall not include an establishment engaged in the retail sale of motor vehicle fuels;

o) "Warehouse" shall mean a building or part of a building which is used for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

p) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. PROVISIONS

a) Uses Permitted ("MC-8" Zone)

No person shall within the lands designated "MC-8" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. body shop
ii. business office
iii. commercial-recreational establishment
iv. dry cleaning establishment - non-venting
v. light manufacturing plant
vi. merchandise service shop
vii. sales outlet
viii. vehicle repair shop
ix. vehicle sales or rental establishment
x. warehouse

b) Zone Requirements ("MC-8" Zone)

No person shall within the lands designated "MC-8" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING HEIGHT (maximum): 12 metres
ii. YARD SETBACKS (minimum):
as illustrated on Figure 1 attached hereto
iii. OUTDOOR STORAGE:
no outdoor storage shall be permitted in any yard

iv. PARKING REQUIREMENTS:

A. For the purpose of this clause, a "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of the parking aisle or driveway.

B. For all uses permitted, there shall be provided and maintained on the lot a minimum of 70 parking spaces.

C. All parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

D. Parking areas at grade shall be set back a minimum of 3.0 metres from all road allowances.

E. Sections 5.21.2(b) and 5.21.2(g) of By-law 2511, as amended, shall not apply.

v. SPECIAL REGULATIONS:

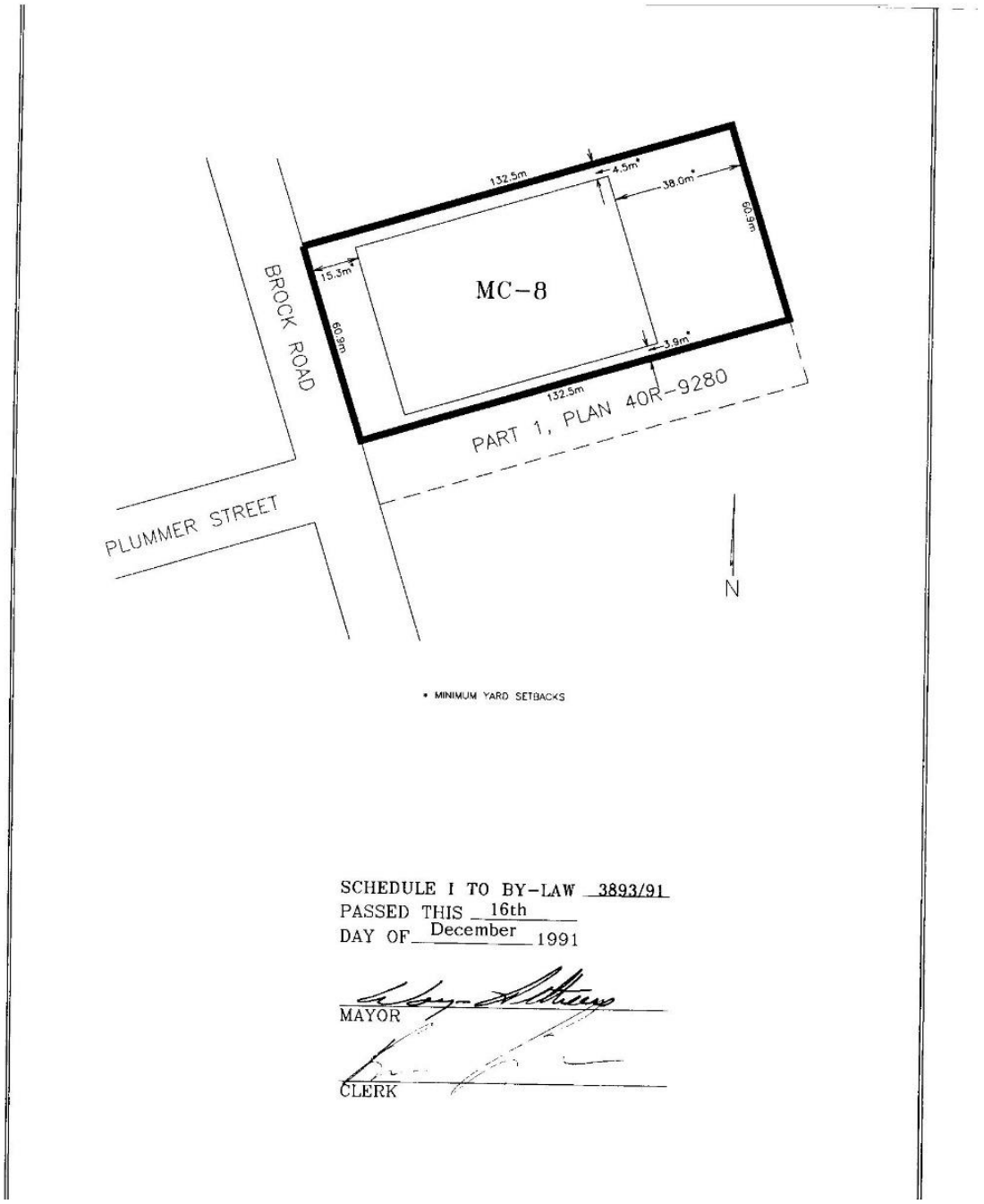
A. No more than two buildings shall be constructed and maintained on the lot;

B. The total aggregate gross floor area of all buildings shall not exceed 2,330 square metres;

C. The aggregate gross leasable floor area of all business offices, commercial-recreational establishments, dry cleaning establishments - non venting, merchandise service shops, and sales outlets shall not exceed 820 square metres.

D. Sales outlets are permitted only if accessory to light manufacturing plants, merchandise service shops and warehouses, and providing the gross leasable floor area of a sales outlet does not exceed 20% of the gross leasable floor area of the light manufacturing plant, merchandise service shop or warehouse.

3. Figure 1


132.5m
4.5m*
38.0m*
60.9m
15.3m*
MC-8
60.9m
3.9m*
132.5m
BROCK ROAD
PART 1, PLAN 40R-9280
PLUMMER STREET
N
* MINIMUM YARD SETBACKS
SCHEDULE I TO BY-LAW 3893/91
PASSED THIS 16th
DAY OF December 1991
MAYOR
CLERK

15.37 Exception Zone 37 (By-law 5245-98)

1. Definitions

a) "Business Office" shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theaters, but shall not include a retail store;

b) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

e) “Functional Floor Level” shall mean an enclosed building storey containing an area of at least 50% of the building’s ground floor area, and a ceiling height suitable for the intended use;

f) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing, or other incidental equipment;

g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

j) "Neighbourhood Store" shall mean a building or part of a building in which food, drugs, periodicals, or similar items of day-to-day household necessity are kept for retail sale primarily to residents of, or persons employed in the immediate neighbourhood;

k) "Personal Service Shop" shall mean a building, or part of a building in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224 (9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto;

l) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, and engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in section 224 (9)(b) of The Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto.

2. Provisions

a) Uses Permitted (“C17-R” Zone)

No person shall within the lands zoned “C17-R” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. business office
ii. dry cleaning depot
iii. dwelling unit
iv. laundromat
v. neighbourhood store
vi. personal service shop
vii. professional office

b) Zone Requirements (“C17-R” Zone)

No person shall within the lands zoned “C17-R” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. Building Location and Setbacks:

1) Buildings and structures shall comply with the maximum building envelope illustrated on Figure 1 attached hereto, with the exception of refuse container enclosures.

2) Despite Clause A above, uncovered steps or platforms not exceeding 1.2 metres in height above grade, may extend a maximum of 1.2 metres beyond the maximum building envelope illustrated on Figure 1 attached hereto.

B. Building Height (maximum):two functional floor levels and 9.0 metres.

ii. PARKING REQUIREMENTS:

A. There shall be provided and maintained on the lands a minimum of 15 parking spaces.

iii. DWELLING UNIT REQUIREMENTS:

A. Maximum of 3 dwelling units;

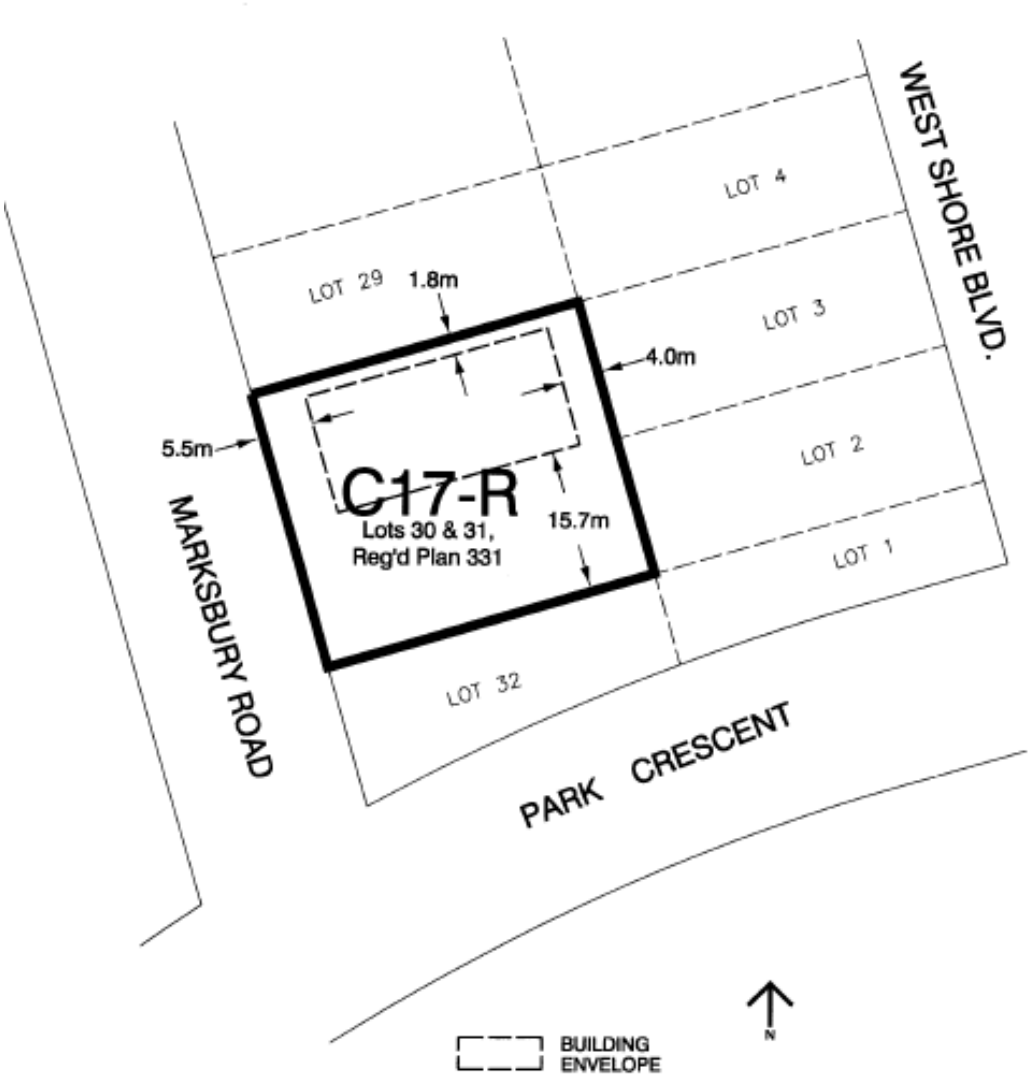
B. Any dwelling unit shall be located on the second floor.

iv. SPECIAL REGULATIONS:

A. All uses, other than parking shall take place entirely within enclosed buildings or structures with no outside storage or display;

B. A maximum of 1 neighbourhood store use shall be permitted, with a maximum gross floor area of 170 square metres.

3. Figure 1



SCHEDULE I TO BY-LAW 5245/98
PASSED THIS 6th
DAY OF April **1998**

MAYOR

CLERK

15.38 Exception Zone 38 (By-law 5502-99)

1. Definitions

   a) In this By-law, “Bingo Facility” shall mean a building or part of a building in which are offered facilities for the play of a lottery scheme where consideration is given for a chance to win a cash prize or prizes by being the first to complete a specified arrangement of numbers on a bingo paper from numbers selected at random, which game is not contrary to the Criminal Code of Canada, but does not include a “place of amusement or entertainment” or a “games arcade” as defined in this By-law;

   b) In this By-law “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, or used for an adult entertainment parlour as defined herein or a body rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time or any successor thereto;

   c) In this By-law “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   d) In this By-law “Games Arcade” shall mean any building, room, or area in which are offered facilities for the play of:

      i. three or more games of chance;

      ii. three or more games of mixed chance and skill; or

      iii. a combination of three or more games of chance and games of mixed chance and skill

      for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but does not include premises in which the only amusement facilities offered are pool tables, billiard tables, bingo facilities, or bowling alleys.

2. Provisions

   a) PERMITTED USE ("M2(CR)” Zone)

      Subject to the provisions of Subsection (2) of this By-law, the lands designated “M2(CR)”, and any building or part of a building thereon, may be used for the purpose of a bingo facility in addition to the uses permitted by sub-section 17.1 of By-law 2511;

b) No person shall, within the lands designated "M2(CR)", use any lot or erect, alter or use any building thereon for the purpose of a bingo facility except in accordance with the following provisions:

i. The gross leasable floor area of any bingo facility shall not exceed 1740 square meters;

ii. The gross leasable floor area of any office use shall not exceed 950 square meters;

iii. There shall be provided and maintained on the lands designated “M2(CR)” a minimum of 270 parking spaces.

15.39 Exception Zone 39 (By-law 5526-99)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("R4-10" Zone)

No person shall within the lands designated "R4-10" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-10" Zone)

No person shall within the lands designated "R4-10" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum): 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 33 percent

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING AND PRIVATE GARAGE REQUIREMENTS:

No part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATION:

notwithstanding section 2(b)(iv) above, the dwelling in existence on the date of passage of this by-law on Part of Block A, Plan 233, designated “R4-10” may remain in its current location, but no additions or exterior alterations other than restoration or general maintenance to that dwelling shall be permitted;

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil, and wildlife; and

ii. resource management;

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used for purposes of flood and erosion control, or resource management.

15.40 Exception Zone 40 (By-law 5558-99, as amended by By-law 6599-05)

1. Definitions

a) “Body Rub” includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

b) “Body Rub Parlour” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

c) “Club” shall mean a building or part of a building in which a not-for profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

d) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;

f) "Commercial School" shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

g) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

h) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

i) Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

j) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

k) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

l) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224 (9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto;

m) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined herein or a body-rub parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

n) “Place of Assembly” shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

o) “Private Non-Residential School” shall mean a school which is maintained for educational or religious purposes, but shall not include a day nursery, or any other school defined herein;

p) “Private Residential School” shall mean a school which is maintained for educational or religious purposes, and which includes accessory residential facilities, but shall not include a day nursery, or any other school defined herein;

q) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises.

2. Provisions

a) Uses Permitted ("MC-12" Zone)

No person shall within the lands zoned "MC-12" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. any use of the "M2S" - Yard Storage and Heavy Manufacturing Zone as per Section 18.1 of By-law 2511, as amended;

ii. restaurant, type A (subject to Special Regulation (B) in section 2(b)(ii) of this By-law);

iii. accessory retail use (subject to Special Regulation (C) in section 2(b)(ii) of this By-law);

iv. body rub parlour;

v. club;

vi. commercial club;

vii. commercial-recreational establishment;

viii. commercial school;

ix. dry cleaning depot;

x. dry cleaner's distribution station;

xi. personal service shop;

xii. place of amusement or entertainment;

xiii. place of assembly;

xiv. private non-residential school;

b) Zone Requirements ("MC-12" Zone)

No person shall within the lands zoned "MC-12" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. Subject to Section 18.2 of By-law 2511;

ii. SPECIAL REGULATIONS:

A. The aggregate gross floor area of all uses listed in Section 2(a)(i) to (xiv) of this By-law is limited to 5,500 square metres;

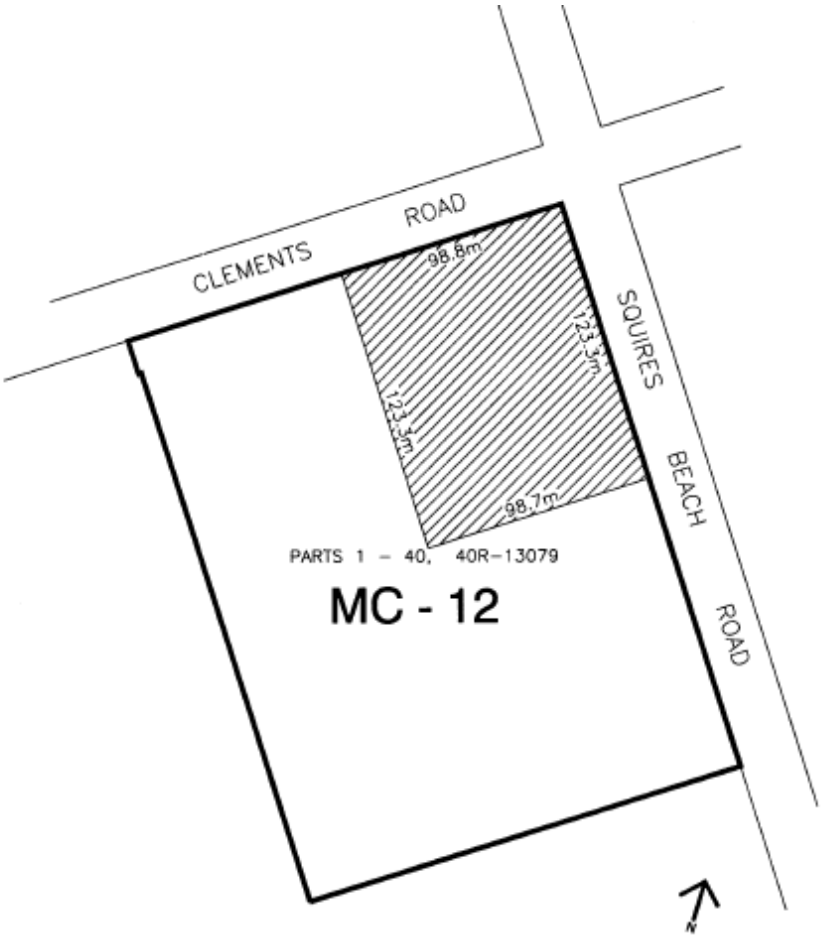
B. Restaurant, Type A uses shall be restricted to the hatched area on Figure 1 attached to this By-law, and to a maximum aggregate gross leasable floor area of 631 square metres;

C. Despite Section 18.1.2 of By-law 2511, as amended, accessory retail use is permitted to a maximum of 20% of the gross leasable floor area of a permitted use in the "M2S" - Yard Storage and Heavy Manufacturing Zone, as per Section 18.1 of By-law 2511, as

amended, or to a maximum 93 square metres of floor area, whichever is less;

D. Not more than one Body Rub Parlour shall be permitted and the aggregate gross leasable floor area of the Body Rub Parlour shall not exceed 110 square metres;

3. Figure 1



SCHEDULE I TO BY-LAW _____
PASSED THIS _____
DAY OF _____ 1999

MAYOR

CLERK

15.41 Exception Zone 41 (By-law 5672-00)

1. Definitions

a) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

b) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

c) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

d) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;

f) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

g) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to such processes;

h) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

i) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

j) “Gross Leasable Floor Area” shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

k) “Light Machinery and Equipment Supplier” shall mean a building or a part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesale or retail sale to industrial or commercial establishments;

l) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

m) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

n) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

o) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

p) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

q) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

r) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

s) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

t) “Place of Assembly” shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

u) “Place of Worship” shall mean a building or part of a building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care center or nursery school;

v) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

w) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to-time, or any successor thereto;

x) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

y) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;

z) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

aa) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

bb) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;

cc) “Vehicle Sales or Rental Establishment” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

dd) “Video Store” shall mean a building or part of a building in which video cassette recorders, tapes, and accessories thereto are stored, serviced, displayed, and offered for rent or retail sale to the public for use off the premises only;

ee) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use; and

ff) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;

gg) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

hh) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

ii) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

jj) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

kk) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ll) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

mm) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

nn) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

oo) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

pp) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("M1-12-2" Zone)

No person shall within the lands designated "M1-12-2", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;

ii. business office;

iii. club;

iv. commercial club;

v. commercial-recreational establishment;

vi. commercial school;

vii. dry cleaning depot;

viii. dry cleaning establishment;

ix. food preparation plant;

x. light machinery and equipment supplier;

xi. light manufacturing plant;

xii. manufacturing plant;

xiii. merchandise service shop;

xiv. personal service shop;

xv. place of assembly;

xvi. place of amusement or entertainment;

xvii. place of worship;

xviii. printing establishment;

xix. professional office;

xx. rental establishment;

xxi. restaurant – Type A;

xxii. sales outlet;

xxiii. scientific, medical or research laboratory;

xxiv. vehicle repair shop;

xxv. vehicle sales or rental establishment;

xxvi. warehouse;

b) Zone Requirements ("M1-12-2" Zone)

No person shall within the lands designated "M1-12-2", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. OUTDOOR STORAGE:

A. Open storage shall not be permitted;

ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

iii. INTERIOR SIDE YARD WIDTH REQUIREMENTS (minimum): 4.5 metres

iv. FLANKAGE SIDE YARD WIDTH REQUIREMENTS (minimum): 12.0 metres

v. REAR YARD DEPTH REQUIREMENTS (minimum):

A. 7.5 metres

B. Notwithstanding section A above, all structures shall be set back a minimum of 15.0 metres from the north boundary of the "M1-12-2" zone;

vi. PARKING REQUIREMENTS (minimum):

A. 200 spaces

B. Notwithstanding section 5.21.2(g) of By-law 2511 as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

C. Sections 5.21.2(a) and (b) of By-law 2511 as amended shall not apply;

vii. BUILDING SIZE (maximum aggregate, all buildings on the lands): 7,000 square metres

viii. BUILDING HEIGHT (maximum): 12 metres

ix. SPECIAL REGULATIONS:

A. A sales outlet, accessory to a permitted industrial operation, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the related industrial operation, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area in that building;

C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial-recreational establishments, dry cleaning depots, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – type A on the lots shall not exceed 50% of the gross leasable floor area of all buildings on the lot;

D. The maximum gross leasable floor area for any personal service shop, or restaurant – Type A shall be 325 square metres;

E. The maximum aggregate gross leasable floor area shall be:

1) for all personal service shops on the lot: 325 square metres

2) for all restaurants – Type A on the lot: 325 square metres

F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "M1-12-2”

15.42 Exception Zone 42 (By-law 5673-00)

1. Definitions

   a) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   b) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

   c) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

   d) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

   e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;

   f) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

   g) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

   h) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to such processes;

   i) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

j) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

k) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

l) “Gross Leasable Floor Area” shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

m) “Light Machinery and Equipment Supplier” shall mean a building or a part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesale or retail sale to industrial or commercial establishments;

n) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

o) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

p) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

q) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

r) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

s) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines,

appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

t) "Office-Associated Commercial Establishment" shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;

u) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

v) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

w) "Place of Assembly" shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

x) "Place of Worship" shall mean a building or part of a building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care center or nursery school;

y) "Printing Establishment" shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

z) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.m. 45, as amended from time to time, or any successor thereto;

aa) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

bb) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;

cc) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

dd) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

ee) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;

ff) “Vehicle Sales or Rental Establishment” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

gg) “Video Store” shall mean a building or part of a building in which video cassette recorders, tapes, and accessories thereto are stored, serviced, displayed, and offered for rent or retail sale to the public for use off the premises only;

hh) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

ii) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;

jj) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

kk) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

ll) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

mm) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

nn) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

oo) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

pp) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

qq) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

rr) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

ss) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MC-13-1","MC-13-2" and "MC-13-3" Zones)

No person shall within the lands designated "MC-13-1", "MC-13-2", and "MC 13-3", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;
ii. business office;
iii. club;
iv. commercial club;
v. commercial school;
vi. commercial-recreational establishment;
vii. convenience store;
viii. dry cleaning depot;
ix. dry cleaning establishment;
x. financial institution;
xi. food preparation plant;
xii. light machinery and equipment supplier;
xiii. light manufacturing plant;
xiv. merchandise service shop;
xv. office-associated commercial establishment;
xvi. personal service shop;
xvii. place of assembly;
xviii. place of amusement or entertainment;
xix. place of worship;
xx. printing establishment;
xxi. professional office;
xxii. restaurant – Type A;
xxiii. rental establishment;
xxiv. sales outlet;
xxv. scientific, medical or research laboratory;
xxvi. vehicle repair shop;
xxvii. vehicle sales or rental establishment;
xxviii. warehouse;

b) Zone Requirements ("MC-13-1", "MC-13-2", and "MC-13-3" Zone)

No person shall within the lands designated "MC-13-1", "MC-13-2", and "MC 13-3", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. OUTDOOR STORAGE:

Open storage shall not be permitted;

ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

iii. INTERIOR SIDE YARD WIDTH REQUIREMENTS (minimum): 4.5 metres

iv. FLANKAGE SIDE YARD WIDTH REQUIREMENTS (minimum): 12.0 metres

v. REAR YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

vi. PARKING REQUIREMENTS (minimum):

A. On lands designated "MC-13-1": 136 spaces

B. On lands designated "MC-13-2": 182 spaces

C. On lands designated "MC 13-3": 68 spaces

D. Notwithstanding section 5.21.2(g) of By-law 2511 as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

E. Sections 5.21.2(a) and (b) of By-law 2511 as amended shall not apply;

vii. BUILDING SIZE (maximum aggregate, all buildings on the lands):

A. On lands designated "MC-13-1": 5,230 square metres of gross leasable floor area

B. On lands designated "MC-13-2": 7,350 square metres of gross leasable floor area

C. On lands designated "MC-13-3": 2,335 square metres of gross leasable floor area

viii. BUILDING HEIGHT (maximum): 12 metres

ix. SPECIAL REGULATIONS:

A. A sales outlet, accessory to a permitted industrial operation, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the related industrial operation, provided the aggregate gross leasable

floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area in that building;

C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial-recreational establishments, convenience stores, dry cleaning depots, financial institutions, office-associated commercial establishments, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – Type A on the lots shall not exceed 75% of the gross leasable floor area of all buildings on the lot;

D. The maximum gross leasable floor area for any convenience store, office-associated commercial establishment, financial institution, personal service shop, and restaurant – Type A shall be 325 square metres;

E. The maximum aggregate gross leasable floor area shall be:

1) for all convenience stores on the lot: 325 square metres

2) for all office-associated commercial establishments on the lot: 325 square metres

3) for all financial institutions on the lot: 325 square metres

4) for all personal service shops on the lot: 325 square metres

5) for all restaurants – Type A on the lot: 325 square metres

F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "MC-13-1", "MC-13-2", and "MC-13-3";

c) Uses Permitted ("M1-12-1" Zone)

No person shall within the lands designated "M1-12-1", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;

ii. business office;

iii. club;

iv. commercial club;

v. commercial-recreational establishment;

vi. commercial school;

vii. dry cleaning depot;

viii. dry cleaning establishment;

ix. food preparation plant;

x. light manufacturing plant;

xi. manufacturing plant;

xii. merchandise service shop;

xiii. personal service shop;

xiv. place of assembly;

xv. place of amusement or entertainment;

xvi. place of worship;

xvii. printing establishment;

xviii. professional office;

xix. rental establishment – Type A;

xx. restaurant – Type A;

xxi. sales outlet;

xxii. scientific, medical or research laboratory;

xxiii. vehicle repair shop;

xxiv. vehicle sales or rental establishment;

xxv. warehouse;

d) Zone Requirements ("M1-12-1" Zone)

No person shall within the lands designated "M1-12-1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. OUTDOOR STORAGE:

Open storage shall not be permitted.

ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 14.9 metres

iii. INTERIOR SIDE YARD WIDTH REQUIREMENTS (minimum): 7.5 metres

iv. REAR YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

v. PARKING REQUIREMENTS (minimum):

A. 130 spaces;

B. Notwithstanding section 5.21.2(g) of By-law 2511 as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

C. Sections 5.21.2 (a) and (b) of By-law 2511 as amended shall not apply;

vi. BUILDING SIZE (maximum aggregate, all building on the lands): 7,270 square metres gross leasable floor area

vii. BUILDING HEIGHT (maximum): 12 metres

viii. SPECIAL REGULATIONS:

A. A sales outlet shall be permitted only if accessory to a bakery, a food preparation plant, a light manufacturing plant, a merchandise service shop, a manufacturing plant, a printing establishment, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse;

B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, manufacturing plant, printing establishment, or warehouse, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area that buildings;

C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial-recreational establishments, dry cleaning depots, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – Type A on the lots shall not exceed 35% of the gross leasable floor area of all buildings on the lot;

D. The maximum gross leasable floor area for any personal service shop, or restaurant – Type A shall be 325 square metres;

E. The maximum aggregate gross leasable floor area shall be:

1) for all personal service shops on the lands: 325 square metres;

2) for all restaurants – Type A on the lands: 325 square metres;

F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "M1-12-1";

15.43 Exception Zone 43 (By-law 5688-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) "Multiple Dwelling " shall mean a building containing three or more dwelling units attached horizontally, or vertically, or both, by an above grade wall or walls;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

m) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot; and

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted ("R4-13" Zone)

No person shall within the lands designated "R4-13", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling unit

b) Zone Requirements ("R4-13" Zone)

No person shall within the lands designated "R4-13", use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum):

A. 4.5 metres, or

B. 7.5 metres for the area diagonally hatched on Figure 1 attached to this By-law.

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres each side, or

B. minimum 1.5 metres for the area diagonally hatched on Figure 1 attached to this By-law.

v. FLANKAGE SIDE YARD WIDTH (minimum):

A. 2.7 metres, or

B. 4.5 metres for lots abutting Toynevale Road, or a reserve, the other side of which is Toynevale Road

vi. REAR YARD DEPTH (minimum):

A. 7.5 metres, or

B. 13.7 metres for lots with rear yards that abut the Highway 401

vii. BUILDING HEIGHT (maximum):

A. 9.0 metres, or

B. 6.0 metres for the area cross-hatched on Figure 1 attached to this By-law

viii. LOT COVERAGE (maximum): 35 percent

ix. DWELLING UNIT REQUIREMENTS:

A maximum of one detached dwelling unit per lot shall be permitted with a minimum gross floor area-residential of 95 square metres.

x. SPECIAL REGULATIONS:

A. Despite subsection (vii), only one-storey structures (bungalows) are permitted within the area cross-hatched on Figure 1 attached to this By-law; and,

B. Despite subsection (viii), a maximum lot coverage of 40% is permitted for dwellings on lots with one storey structures (bungalows) which do not front or flank onto Toynevale Road.

xi. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building; and,

B. vehicular entrance shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

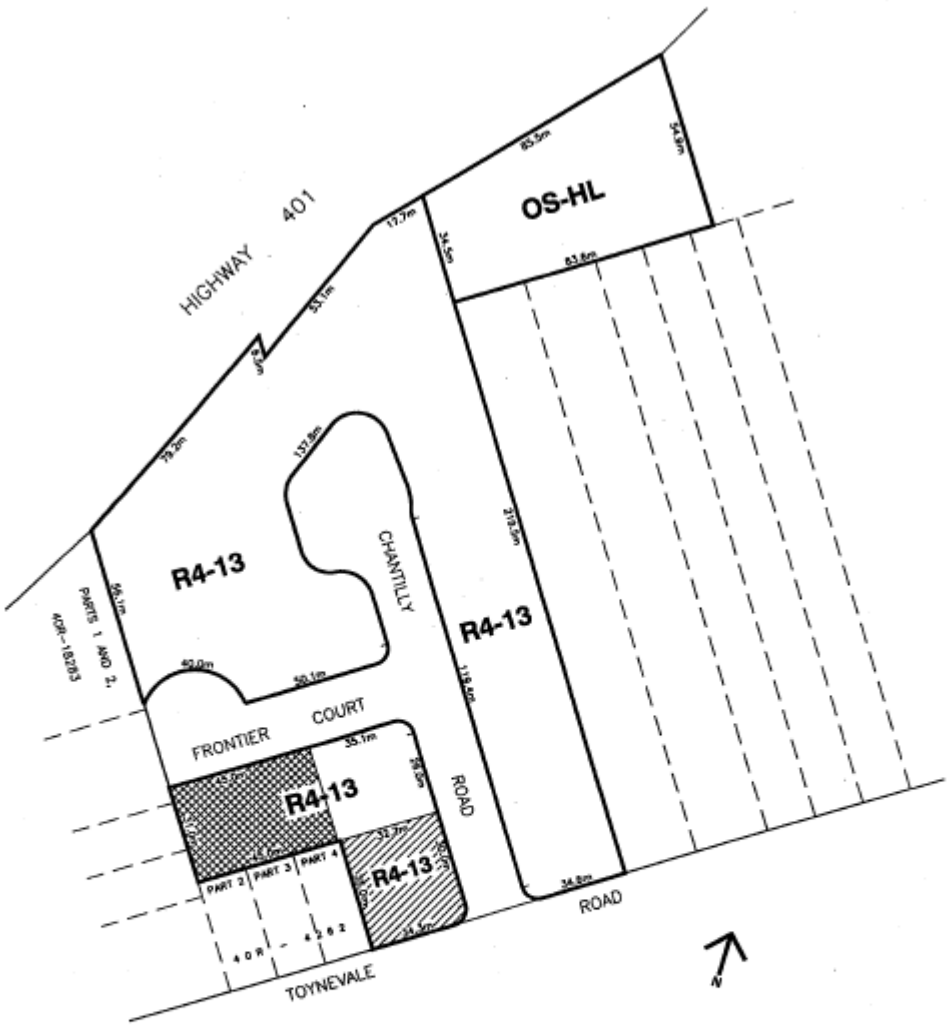
ii. resource management;

iii. pedestrian trails and walkways.

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

3. Figure 1



SCHEDULE I TO BY-LAW 5688/00
PASSED THIS 5th
DAY OF June 2000

MAYOR

CLERK

15.44 Exception Zone 44 (By-law 5755-00)

1. Definitions

   a) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station, but shall not include a retail store;

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Light Manufacturing Plant" shall mean a manufacturing plant used for the dry cleaning, pressing or laundering of garments, the production of apparel and finished textile products other than the production of synthetic fibers, printing or duplicating, the manufacture of finished paper and allied products other than the processing of wood pulp, the production of cosmetics, drugs and other pharmaceutical supplies, or the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

   h) "Manufacturing Plant" shall mean a building or structure or part thereof in which is carried on an activity or operation pertaining to the making of any article or part of an article, which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up, or demolishing the said article;

   i) "Scientific, Research or Medical Laboratory" shall mean a building or part of building wherein scientific, research or medical experiments or investigations are systematically conducted and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or

investigations may be manufactured or otherwise prepared for use on the premises;

j) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

2. Provisions

a) Uses Permitted ("M1-1(S)" Zone)

No person shall within the lands designated "M1-1(S)", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Residential Uses

A. Accessory dwelling unit

ii. Non-Residential Uses

A. Business Office

B. Light Manufacturing Uses

C. Scientific, Research or Medical Laboratory

D. Warehouse

b) Zone Requirements ("M1-1(S)" Zone)

No person shall within the lands designated "M1-1(S)", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 hectares

ii. LOT FRONTAGE: no minimum

iii. BUILDING RESTRICTIONS

A. Building Location and Setbacks:

1) Buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached to this By law;

2) Despite clause A above, uncovered steps or platforms may project a maximum 1.5 metres beyond the building envelope;

B. Building Height: maximum 20 metres except that where lot coverage exceeds 33 percent the maximum building height shall be 12 metres;

iv. Lot Coverage: 50 percent, except that where building heights exceeds 12 metres the maximum lot coverage shall be 33 percent;

v. Open Storage: no open storage shall be permitted in any yard;

vi. ACCESSORY DWELLING UNIT REQUIREMENTS:

A. maximum one dwelling unit;

B. minimum unit area of 55.5 square metres plus an additional 1.5 square metres for each bedroom;

vii. LANDSCAPED OPEN AREA:

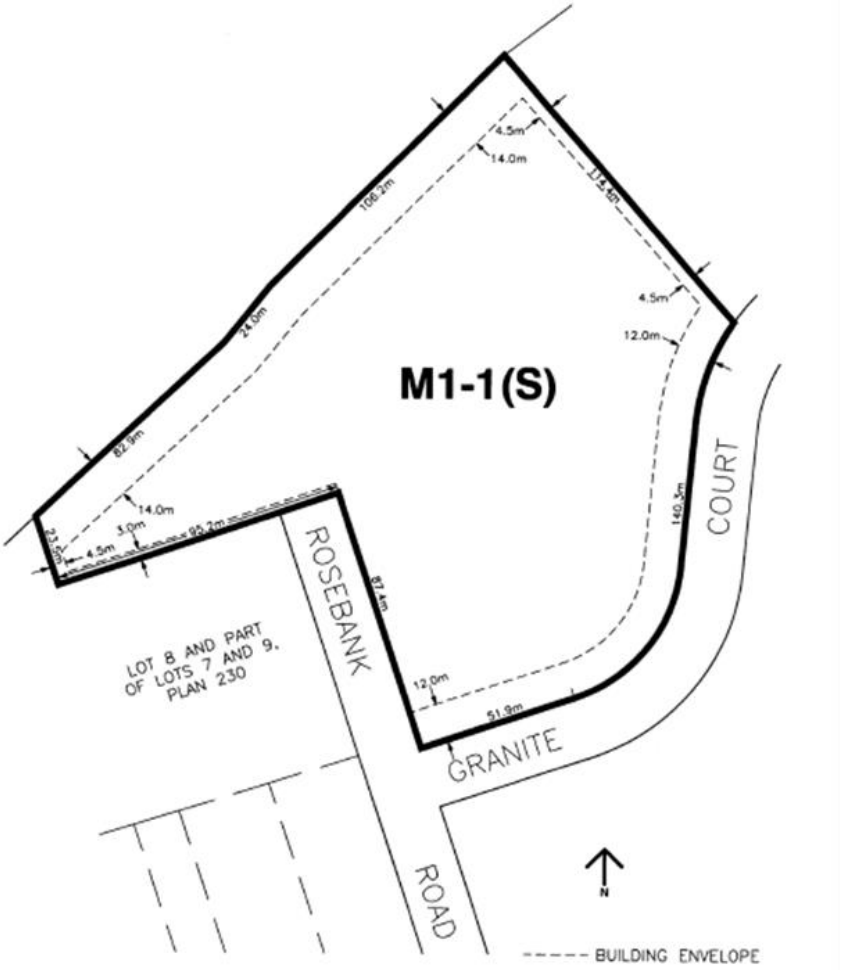
A. Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces or driveways shall be maintained as landscaped open area;

viii. SPECIAL REGULATIONS:

A. No loading spaces or electric transformers shall be located adjacent to Granite Court;

B. Clauses 5.21.2a) to 5.21.2b), inclusive, of By-law 2511, as amended shall not apply to the lands designated “M1-1(S)” on Figure 1 attached hereto.

3. Figure 1



SCHEDULE I TO BY-LAW 5755/00
PASSED THIS 16th
DAY OF October **2000**

MAYOR

CLERK

15.45 Exception Zone 45 (By-law 5829-01)

1. Definitions

   a) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio broadcasting station, but shall not include a retail store;

   b) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of children;

   c) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or part thereof as the case may be, other than rooms or space jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms, lobbies, stairwells, elevators and service corridors;

   d) "Light Manufacturing Plant" shall mean a manufacturing plant used for the dry cleaning, pressing or laundering of garments, the production of apparel and finished textile products other than the production of synthetic fibers, printing or duplicating, the manufacture of finished paper and allied products other than the processing of wood pulp, the production of cosmetics, drugs and other pharmaceutical supplies, or the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

   e) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   f) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   h) "Manufacturing Plant" shall mean a building or structure or part thereof in which is carried on an activity or operation pertaining to the making of any article or part of an article, which shall include altering, assembling,

repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up, or demolishing the said article;

i) "Place of Religious Assembly" shall mean lands or premises where people assemble for worship, counseling, educational, contemplative or other purposes of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof;

j) "Printing Establishment" shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

k) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.m. 45, as amended from time-to-time, or any successor thereto;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("M-IC(DN)" Zone)

No person shall within the lands designated "M-IC(DN)", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. business office;

ii. day nursery;

iii. light manufacturing plant;

iv. place of religious assembly;

v. printing establishment;

vi. professional office;

b) Zone Requirements ("M-IC(DN)" Zone)

No person shall within the lands designated "M-IC(DN)", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 9.0 metres;

ii. SIDE YARD WIDTH (minimum): 4.5 metres;

iii. FLANKAGE SIDE YARD WIDTH (minimum): 4.5 metres;

iv. REARYARD DEPTH (minimum): 7.5 metres;

v. PARKING REQUIREMENTS:

A. There shall provided and maintained a minimum of 225 parking spaces on the lands zoned "M-IC(DN)";

B. Sections 5.21.2 (b) of By-law 2511 as amended shall not apply to the lands designated "M-IC(DN)"; and

C. Despite 5.21.2 (g) and (k) of By-law 2511, as amended, all entrances and exists to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

vi. OPEN STORAGE:

A. All uses, other than parking and outdoor play areas, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.

vii. SPECIAL REGULATIONS:

A. The gross leasable floor area of all buildings shall not exceed 4200m^2; and

B. The maximum aggregate gross leasable floor area for all places of religious assembly shall not exceed 3000 m^2

15.46 Exception Zone 46 (By-law 5836-01)

1. DEFINITIONS

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing or designed to appeal to erotic or sexual appetites or inclinations.

b) “Building Height” shall mean the vertical distance between the established grade and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof, the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. A penthouse tower, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical equipment of any building shall be disregarded in calculating the height of such building.

c) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

d) “Commercial Vehicle” shall mean a vehicle for commercial purposes, and shall include ambulances, hearses, motor buses, and fire apparatus.

e) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

f) “Dwelling Unit Area” shall mean the aggregate of the floor areas of all habitable rooms of a dwelling unit.

g) “Games Arcade” shall mean any building, room or area in which are offered facilities for the play of:

i. three or more games of chance;

ii. three or more games of mixed chance and skill; or

iii. a combination of three or more games of chance and games of mixed chance and skill;

for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act or premises in which the only amusement facilities offered are pool tables, billiard tables or bowling alleys.

h) “General Truck Stop” shall mean land or premises upon which a business, service or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered including the dispensing of motor fuel or petroleum products and may include, as ancillary uses, a business office, one (1) accessory dwelling unit, the retail sale of accessories or equipment for trucks and similar commercial vehicles, the retail sale of convenience items, shower and laundry facilities, a personal service shop, and a games arcade but shall not include an Adult Entertainment Parlour as defined herein.

i) “Gross Floor Area” shall mean the aggregate of the floor area of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

j) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade.

k) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

m) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

n) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224 (9)(b) or the Municipal Act, R.S.O. 1990, Chapter M. 45 as amended from time to time, or any successor thereto, or an Adult Entertainment Parlour as defined herein.

o) “Restaurant - Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises but shall not include an Adult Entertainment parlour as defined herein.

p) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;

q) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

r) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

s) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

u) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

w) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

x) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

y) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

z) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“M2S-1” Zone)

No person shall within the lands zoned “M2S-1” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. General Truck Stop

ii. Restaurant - Type A

iii. Games Arcade

iv. Uses permitted under Section 16.1.1 of By-law 2511, as amended

v. Uses permitted under Section 16.1.3 of By-law 2511, as amended

vi. Uses permitted under Section 17.1.3 of By-law 2511, as amended

b) Zone Requirements (“M2S-1” Zone)

No person shall within the lands zoned “M2S-1” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. Building Location and Setbacks:

1) LOT FRONTAGE: Minimum 140 metres

2) FRONT YARD DEPTH: Minimum 15 metres

3) REAR YARD DEPTH: Minimum 7.5 metres

4) SIDE YARD WIDTH: Minimum 7.5 metres

5) BUILDING HEIGHT: Maximum 13.0 metres

ii. PARKING REQUIREMENTS:

A. Parking shall be provided on the subject lands at a ratio of a minimum of 30 spaces for the first 1000 square metres of gross floor area plus 1 space per 250 square metres or part thereof of gross floor area beyond 1000 square metres;

B. Clauses 5.21.2.a) to 5.21.2.c), inclusive, Clause 5.21.2.j) and 5.21.2.k) of By-law 2511, as amended shall not apply to the lands designated “M2S-1”; and

C. Despite Clause 5.21.2.g) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

iii. SPECIAL REGULATIONS:

A. The Gross Leasable Floor Area of accessory retail sales shall not exceed 270 square meters;

B. The Gross Leasable Floor Area of a Restaurant - Type A shall not exceed 120 square meters and such Restaurant - Type A shall only be permitted in conjunction with a General Truck Stop;

C. The Dwelling Unit Area shall not exceed 120 square meters;

D. For the purpose of this By-law, the term “drive-through facility” shall mean a facility at which goods, products, or services are provided directly to customers in vehicles;

E. No drive-through facility shall be permitted in association with any of the uses permitted on the lands designated “M2S-1”;

F. The Gross Leasable Floor Area of a Games Arcade shall not exceed 50 square metres and such Games Arcade shall only be permitted in conjunction with a General Truck Stop and shall be patronized only by the drivers and occupants of commercial vehicles;

G. No video lottery terminals shall be permitted;

H. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated "M2S-1";

15.47 Exception Zone 47 (By-law 1091-80, as amended by By-law 1697-83)

1. Notwithstanding the provisions of Section 16.1 or Section 16.2 of By-law 2511, the land designated MC will be used only in accordance with the provisions of this section.

2. Definitions

   a) “Assembly Hall” shall mean a building or part of a building in which facilities are provided for purposes such as civic, educational, political, religious or social meetings and may include a banquet hall or private club, but shall not include a place of entertainment or an adult entertainment parlour.

   b) “Bakery” shall mean a building or part of a building where baked food products are prepared and offered for retail sale, and which may include incidental baking.

   c) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization and may include a financial institution, a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store.

   d) “Coverage" or “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot.

   e) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

   f) “Dry Cleaning establishment” shall mean a building or part of building used for dry cleaning and related processes but does not include a laundromat.

   g) “Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   h) ”Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure or a portion thereof, as the case may be, other than a private garage, an attic or a cellar.

   i) “Food Preparation Plant" shall mean a building or part of building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets.

j) “Frontage” or “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

k) “Laundromat” shall mean a self-service clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

l) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.

m) “Light Manufacturing Plant” shall mean a manufacturing plant used for:

   i. the production of apparel and finished textile products other than the production of synthetic fibres;

   ii. printing or duplicating;

   iii. the manufacture of finished paper and allied products other than the processing of wood pulp;

   iv. the production of cosmetics, drugs and other pharmaceutical supplies; or

   v. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.

n) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, any establishment used for the service or repair of motorized vehicles, or a retail store other than a sales outlet.

o) "Place of Entertainment" shall mean a building or part of a building in which facilities are provided for entertainment purposes and may include a theatre, music hall, dance hall, billiard or pool room, bowling alley or ice or roller skating rink, but does not include an adult entertainment parlour.

p) "Private Club" shall mean an athletic, recreational or social club, and Includes the premises of a fraternal organization.

q) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation

given and may include a clinic and the offices of an architect, chartered accountant, engineer, lawyer or physician but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1970, chapter 284, or any successor thereto.

r) "Restaurant - Type B" shall mean a building or part of a building where food is prepared and offered or kept of a for retail sale to the public for immediate consumption in the building or buildings on the premises only.

s) "Sales Outlet" shall mean a building or part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products, but shall not include an eating establishment.

t) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises.

u) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food- stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

v) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

w) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

x) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

y) "Side Yard" shall mean a yard extending from the front yard to the rear yard and from the side lot line of a lot to the nearest wall of the nearest main building or structure on the lot.

z) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street.

aa) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

3. Use Permitted

a) assembly halls

b) bakeries

c) business offices

d) dry cleaning depots, subject to the provisions of paragraph (iii) of subclause (i) of clause 4 of this subsection

e) dry cleaning establishments

f) food preparation plants

g) light manufacturing plants

h) merchandise service shops

i) professional offices

j) restaurant - Type B, subject to the provisions of paragraph (i) of subclause (i) of cause 4 of this subsection

k) sales outlet, subject to the provisions of paragraph (ii) of subclause (i) of cause 4 of this subsection

l) scientific, research or medical laboratory

m) warehouse

4. Zone Requirements

a) LOT AREA (minimum) - 0.4 hectares

b) LOT FRONTAGE (minimum) - 30 metres

c) FRONT YARD (minimum) - 12 metres

d) SIDE YARD (minimum)

i. interior side yard - 4.5 metres

ii. flankage side yard - 12 metres

e) REAR YARD (minimum) - 7.5 metres

f) LOT COVERAGE (maximum) - 40 percent

g) BUILDING HEIGHT (maximum) - 12 metres

h) OPEN STORAGE

No open storage shall be permitted in any yard.

i) Special Restrictions

i. The gross floor area of all Type B restaurants on a lot shall not exceed 10 percent of the gross floor area of all buildings on the lot.

ii. Sales outlets are permitted uses only if accessory to food preparation plants, light manufacturing plants, merchandise service shops or warehouses, and providing the gross floor area o the sales outlet does not exceed 20% of the gross floor area of the food preparation plant, light manufacturing plant, merchandise service shop or warehouse.

iii. Dry Cleaning depots are permitted uses only if accessory to dry cleaning establishments and providing the gross floor area of the dry cleaning depot does not exceed 20% of the gross floor area of the dry cleaning establishment.

15.48 Exception Zone 48 (By-law 1508-82)

1. Definitions

    a) Vehicle Sales Shop: means an establishment in which vehicles are displayed for sale, sold or both.

    b) Waste: means material which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a useable product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process.

    c) Waste, Hazardous: means any substance or material that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

    d) Waste Processing Station: means a facility within an enclosed building whose primary purpose is the sorting and processing of waste to create a new product or raw material on site.

    e) Waste Transfer Station: means a facility within an enclosed building whose primary purpose is the collection and storage of waste or hazardous waste for shipment, and which may include limited sorting or preparation of that waste to facilitate its shipment for final disposal or to a waste processing station, but does not include salvage yards or scrap metal yards.

2. Provisions

    a) In addition to the provisions of Section 17.1 of By-law 2511, the lands designated M2-2 may be used for the purpose of a vehicle sales shop in accordance with Section 17.2 provided that the following requirements are met:

        i. A vehicle sales shop may be permitted only in combination with a motor vehicle repair shop on the site;

        ii. Not more than 20 percent of the aggregate of the gross floor areas of the motor vehicle repair shop and vehicle sales shop establishments shall be used for the display or sale of vehicles;

        iii. All vehicles for sale or being displayed shall be kept totally within an enclosed structure or structures on the lot.

    b) In addition to the provisions of Section 17.1 of By-law 2511, the lands designated M2-2 may be used for the purpose of a waste processing station and/or waste transfer station in accordance with Section 17.2.

15.49 Exception Zone 49 (By-law 849-78)

1. Notwithstanding the provisions of Sections 13.1, 13.2 and 13.3 of By-law 2511, the lands designated C1-1, as amended, shall not be used except in accordance with the provisions of this subsection.

    a) Definitions

        i. "Bake Shop" shall mean a building or part of a building where baked food products are prepared and offered for retail sale;

        ii. “Bank” shall mean an institution where money is deposited, kept, lent and exchanged;

        iii. "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a public or private agency, a business, a brokerage, or a labour or fraternal organization, and includes an office accessory to a permitted use:

        iv. "Dry-Cleaning Depot" shall mean a building or part thereof used for the purpose of receiving articles or goods or fabrics to be subjected to the process of dry-cleaning or laundering elsewhere and distribution of articles or goods which have been subjected to any such process;

        v. “Laundromat” shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

        vi. "Neighbourhood Store" shall mean a retail store having a net floor area of not more than 400 square metres wherein food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale primarily to residents of or persons employed in the immediate neighbourhood.

        vii. "Personal Service Shop" means an establishment where a personal service is performed, and includes a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio but does not include a massage or body-rub parlour or any adult entertainment parlour as defined in Section 368b of The Municipal Act R.S.O 1970, Chapter 284, as amended.

        viii. “Professional Office” shall mean a building or part of a building in which a legal, medical or other personal professional services is performed or consultation given, but does not include a body-rub parlour or any adult entertainment parlour as defined in Section 368b of the Municipal Act R.S.O. 1970, Chapter 284, as amended.

        ix. "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public, and includes a neighbourhood store, a bake shop, and a farm produce outlet, but shall

not include a building or part of a building containing any other use defined herein or specifically named elsewhere in this bylaw.

x. "Restaurant" shall mean a building or part or a building where food is prepared and offered or kept for retail sale to the public for immediate consumption either in or off the premises.

xi. "Tailor or Dressmaking Shop" shall mean a building or part of a building which is used primarily for the custom manufacture, alteration or repair of articles of clothing or individual clients, but shall not include any establishment primarily engaged in the retail sale of clothing manufactured elsewhere or the manufacture of clothing for distribution to other retail outlets.

b) Uses Permitted

No person shall within any C1-1 Zone use any lot or erect, alter, or use any building or structure for any purpose except one or more of the following C1-1 uses, namely:

i. bank;

ii. business office;

iii. dry cleaning depot;

iv. laundromat;

v. neighbourhood store;

vi. personal service shop;

vii. professional office;

viii. restaurant.

c) ZONE REQUIREMENTS

No person shall within any C1-1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 700 square metres

ii. LOT FRONTAGE (minimum): no minimum

iii. FRONT YARD DEPTH (Minimum): 12 metres

iv. SIDE YARD WIDTH (minimum):- no minimum, except that where a side lot line abuts a street or a Residential Zone the minimum side yard width shall be 4.5 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 33 per cent

vii. BUILDING HEIGHT (maximum): 12 metres

viii. LANDSCAPED OPEN SPACE (minimum): 20 percent

15.50 Exception Zone 50 (By-law 4603-95)

1. Despite any other provisions of By-law 2511, one residential detached dwelling is permitted on lands known as Lot 18, Plan M-89, in the Town of Pickering, subject to the following provisions:

    a) Lot Area (minimum): 460 square metres

    b) Lot Frontage (minimum): 15 metres

    c) Front Yard Depth (minimum): 6 metres

    d) Side Yard Width (minimum):

        i. west side yard 7.5 metres

        ii. east side yard 1.5 metres

    e) Rear Yard Depth (minimum): 4.5 metres

    f) Lot Coverage (maximum): 38 percent

    g) Building Height (maximum): 9 metres

    h) Parking Requirements: minimum one private garage attached to the main building

15.51 Exception Zone 51 (By-law 4622-95)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) "Multiple Dwelling " shall mean a building containing three or more dwelling units attached horizontally, or vertically, or both, by an above grade wall or walls;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) “Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

m) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot; and

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions ("R4-6" Zone)

a) Uses Permitted ("R4-6" Zone)

No person shall within the lands designated "R4-6", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements ("R4-6" Zone)

No person shall within the lands designated "R4-6", use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. LOT COVERAGE (maximum): 33 percent

ix. DWELLING UNIT REQUIREMENTS:

no more than one detached dwelling having a minimum gross floor area-residential of 95 square metres shall be permitted on a lot

x. SPECIAL REGULATION:

the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres

xi. PARKING REQUIREMENTS:

minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

3. Provisions ("R4" zone)

a) Uses Permitted ("R4" Zone)

No person shall within the lands designated "R4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements ("R4" Zone)

No person shall within the lands designated "R4", use any lot or erect, alter or use any building or structure for detached dwelling uses except in accordance with the provisions of Section 10 of By-law 2511 respecting “R4” Zones.

15.52 Exception Zone 52 (By-law 4824-96)

1. Despite the provisions of Section 18.1 of By-law 2511, on that part of Lot 32 and Part of Block C, Plan M-1040, identified as Parts 5 and 6, Plan 40R-0559, Town of Pickering, being lands designated "M2S", a retail sales use accessory to a light track equipment and accessories manufacturing and warehouse industrial use is permitted to a maximum of ten percent of the total gross leasable floor area of all buildings on the lands, or to a maximum of 93 square metres, whichever is the least.

15.53 Exception Zone 53 (By-law 5034-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S4-7" Zone)

No person shall within the lands designated "S4-7" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S4-7" Zone)

No person shall within the lands designated "S4-7" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square

ii. LOT FRONTAGE (minimum): 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

B. for the lands cross-hatched on Figure 1 attached hereto:10.0 metres

A. for all other lands: 7.5 metres

vii. LOT COVERAGE (maximum):

A. for all buildings and structures on a lot: 40%

B. despite clause A above, where a single storey covered and unenclosed verandah or porch having no habitable space above it is attached to the wall containing the main front entrance to the dwelling unit, such porch shall be excluded from the calculation of lot coverage.

C. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage.

D. the lot coverage of all accessory buildings shall not exceed five percent.

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. no part of any attached private garage shall extend more than 2.2 metres beyond the wall containing the main front entrance to the dwelling.

xi. SPECIAL REGULATIONS:

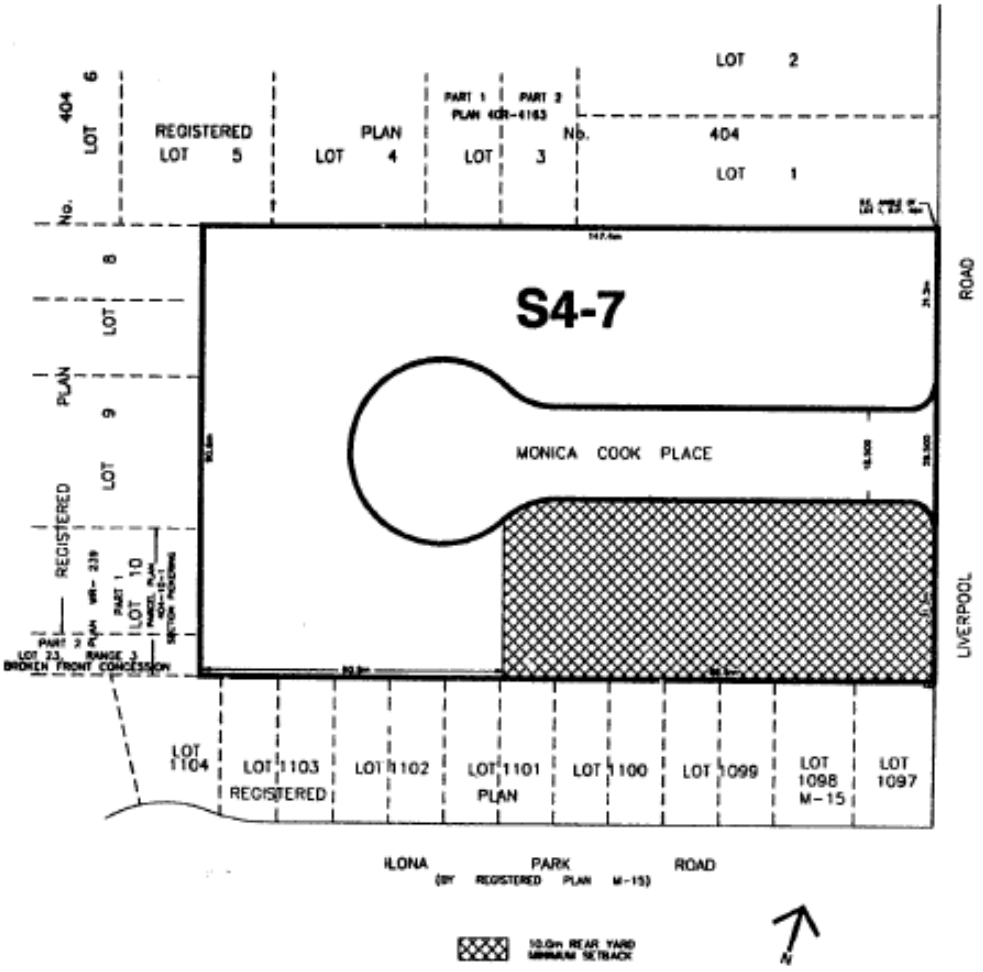
A. the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

B. uncovered platforms, and decks not exceeding 1.0 metre in height above grade may project a maximum of 1.5 metres into a required rear yard.

C. no uncovered or covered deck, platform or balcony exceeding 1.0 metre in height above grade may be permitted in any yard.

D. despite clause 2(b)(iii) above, a single storey covered and unenclosed porch or verandah with no habitable space above, may project a maximum of 1.5 metres into a required front yard.

3. Figure 1



SCHEDULE I TO BY-LAW 5034/97
PASSED THIS 16th
DAY OF June **1997**

MAYOR

CLERK

15.54 Exception Zone 54 (By-law 5065-97)

1. Definitions

a) "Adult Entertainment Parlour" shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

b) "Commercial-Recreational Establishment" shall mean a commercial establishment in which recreational facilities such as bowling alleys, miniature golf courses, bingo facilities, gymnastics facilities, roller skating rinks, squash courts, swimming pools, batting cages, and other similar recreational facilities are provided, and which may include an athletic or recreational club, but shall not include a place of amusement or entertainment as defined herein, a room or an area used for any video lottery terminal use WI governed by the Gaming Services Act, an adult entertainment parlour as defined herein or a body rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time or any successor thereto;

c) "Games Arcade" shall mean any building, room or area in which are offered facilities for the play of:

i. three or more games of chance;

ii. three or more games of mixed chance and skill; or

iii. a combination of three or more games of chance and games of mixed chance and skill,

for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act or premises in which the only amusement facilities offered arc pool tables, billiard tables or b0wling alleys;

d) "Golf Practice Facility" shall mean the use of land for a driving range with target greens, which may include practice greens and/or bunkers, operated for the purpose of developing golf techniques;

e) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupa,1cy or exclusive use only, but excluding storage areas below established grade;

f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a

public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

h) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined herein or a body rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time or any successor thereto;

i) "Restaurant - Type E" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption in the building or elsewhere on the premises;

j) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings. structures, or other uses as are specifically permitted thereon;

k) “Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines;

o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

p) “Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

r) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("M1(CR1)" Zone)

a) Uses Permitted ("M1(CR1)" Zone)

No person shall within the lands designated "M1(CR1)" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. all uses permitted under Section 16.1 of By-law 2511, as amended

ii. commercial-recreational establishment

iii. games arcade

iv. golf practice facility

v. place of amusement or entertainment

vi. restaurant - type E

b) Zone Requirements ("M1(CR1)" Zone)

No person shall within the lands designated "M1(CR1)", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. any use permitted under Section 16.1 of By-law 2511, as amended, shall be governed by the relevant provisions outlined in Section 16.2 of By-law 2511, as amended

ii. all other uses permitted under section 2(a) of this by-law shall be governed by the following provisions:

A. LOT AREA (minimum): 6.0 hectares

B. LOT FRONTAGE (minimum): 150 metres

C. FRONT YARD DEPTH (minimum): 12 metres

D. SIDE YARD WIDTH (minimum): 3.0 metres

E. REAR YARD DEPTH (minimum): 7.5 metres

F. BUILDING HEIGHT (maximum): 9.0 metres

G. PARKING REQUIREMENTS:

1) There shall be provided and maintained on the lot a minimum of 70 parking spaces, or, a minimum of 8.0 parking spaces per 93 square metres of gross leasable floor area for all uses

which are undertaken within buildings, whichever is the greater;

2) Sections 5.21.2a) and 5.21.2b) of By-law 251 I, as amended, shall not apply to the lands designated "M1(CR1)";

3) All parking areas shall be set back a minimum of 3.0 metres from all road allowances.

H. SPECIAL PROVISIONS:

I. The aggregate of the gross leasable floor area of all restaurants - type E on the lot shall not exceed 175 square metres.

3. Provisions ("M2(CR1)" Zone)

a) Uses Permitted ("M2(CR1)" Zone)

No person shall within the lands designated "M2(CR1)" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. all uses permitted under Section 17.1 of By-law 2511, as amended

ii. those uses permitted under sections 2(a)(ii) through 2(a)(vi) of this by-law

b) Zone Requirements ("M2(CR1)" Zone)

No person shall within the lands designated "M2(CR1)", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. any use permitted under Section 17.1 of By-law 2511, as amended, shall be governed by the relevant provisions outlined in Sections 17.2 and 17.3 of By-law 2511, as amended;

ii. any use permitted under section 3(a)(ii) of this by-law shall be governed by the relevant provisions outlined in Section 2(b)(ii) of this by-law.

15.55 Exception Zone 55 (By-law 5092-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Retirement Home" shall mean a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate entrance from a common hall but where common facilities for the preparation and consumption of food are provided and common lounges, recreation rooms and medical care facilities may also be provided;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("R4-10" Zone)

No person shall within the lands designated "R4-10" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-10" Zone)

No person shall within the lands designated "R4-10" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum): 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 33 percent

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING AND PRIVATE GARAGE REQUIREMENTS:

no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATION:

notwithstanding section 2(b)(viii) above, within the lands crosshatched on Figure 1 maximum building height shall be 12.0 metres for structures that exist on the date of the passing of this by-law.

c) Uses Permitted ("R(RH)" Zone)

No person shall within the lands designated "R(RH)" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. retirement home;

d) Zone Requirements ("R(RH)" Zone)

No person shall within the lands designated "R(RH)" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 9.0 metres

ii. INTERIOR SIDE YARD WIDTH (minimum): 7.5 metres

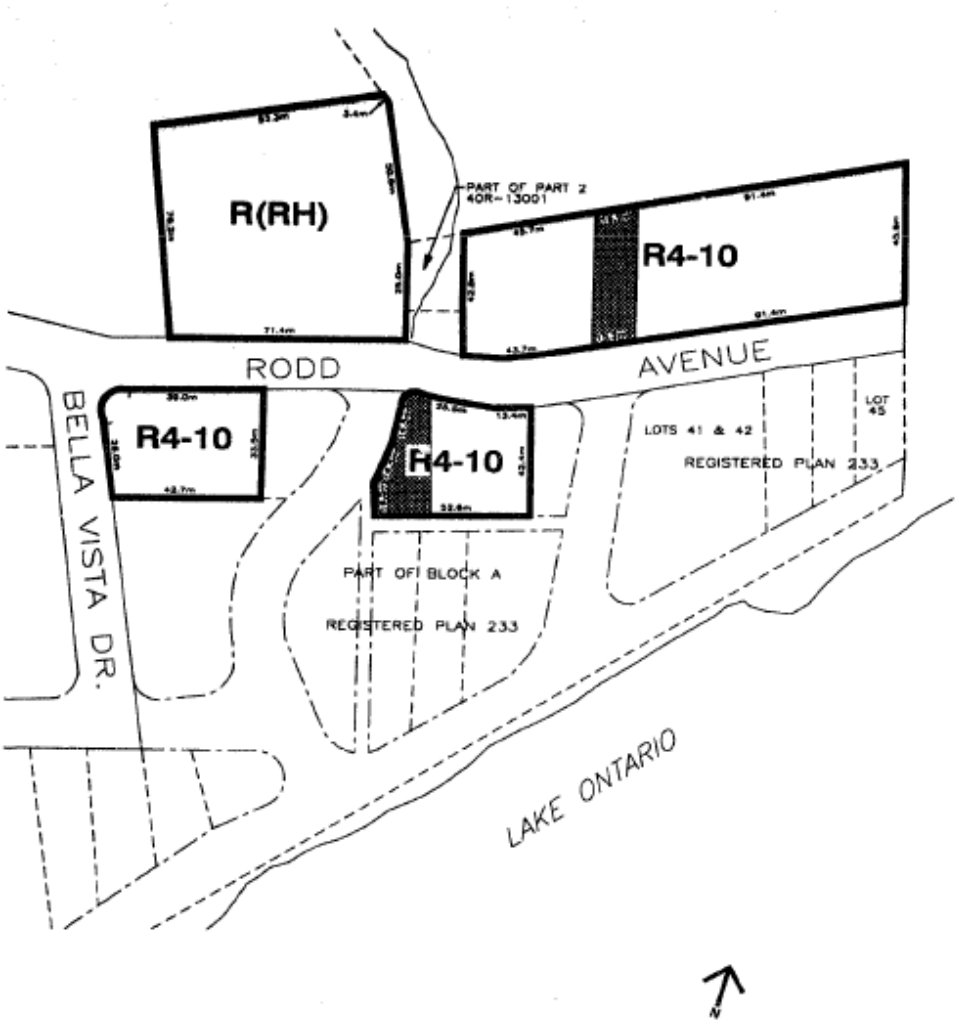
iii. REAR YARD DEPTH (minimum): 7.5 metres

iv. PARKING

A. there shall be provided and maintained at least 1 parking space for each 4 persons that may be legally accommodated at one time;

B. notwithstanding section 5.21.2 a), of By-law 2511, as amended, up to 80 percent of required parking spaces may be located within the required front yard.

3. Figure 1



SCHEDULE I TO BY-LAW 5092/97
PASSED THIS 15th
DAY OF September **1997**

MAYOR

CLERK

15.56 Exception Zone 56 (By-law 5151-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) "Multiple Dwelling " shall mean a building containing three or more dwelling units attached horizontally, or vertically, or both, by an above grade wall or walls;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) “Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

m) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot; and

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions ("R4-11" Zone)

a) Uses Permitted ("R4-11" Zone)

No person shall within the lands designated "R4-11", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements ("R4-11" Zone)

No person shall within the lands designated "R4-11", use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. LOT COVERAGE (maximum): 33 percent

ix. DWELLING UNIT REQUIREMENTS: no more than one detached dwelling having a minimum gross floor area-residential of 95 square metres shall be permitted on a lot

x. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres; and

B. uncovered platforms, and decks not exceeding 1.0 metre in height above grade may project a maximum of 1.5 metres into a required rear yard;

C. no uncovered or covered deck, platform or balcony exceeding 1.0 metre in height above grade may be permitted in any yard;

xi. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

15.57 Exception Zone 57 (By-law 6635-06)

1. Definitions

a) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

b) “Body Rub” includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

c) “Body Rub Parlour” includes any premises or part thereof where a body rub is preformed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are preformed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

d) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization but shall not include a retail store;

e) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

f) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacturing of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacturing of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

g) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

h) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

i) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

j) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;

k) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

l) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

m) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

n) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

2. Provisions

a) Uses Permitted ("M1-14" Zone)

No person shall within the lands designated "M1-14", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. business office;

ii. light manufacturing plant;

iii. professional office;

iv. sales outlet;

v. scientific, medical or research laboratory;

vi. warehouse;

b) Zone Requirements ("M1-14" Zone)

No person shall within the lands designated "M1-14", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. Building Location and Setbacks:

1) All buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached to this By-law;

B. Building Heights:

1) Minimum Building Height: 6.5 metres

ii. OUTDOOR STORAGE

A. Outdoor storage is only permitted in the area cross-hatched as illustrated on Figure 1 attached to this by-law;

B. Outdoor Storage Height:

1) Maximum Outdoor Storage Height: 5.0 metres

iii. PARKING REQUIREMENTS:

A. No parking is permitted to be located in the front yard;

B. For all uses, there shall be provided and maintained on the lands a minimum of 1.0 parking space for every 56 square metres of gross leasable floor area or part thereof;

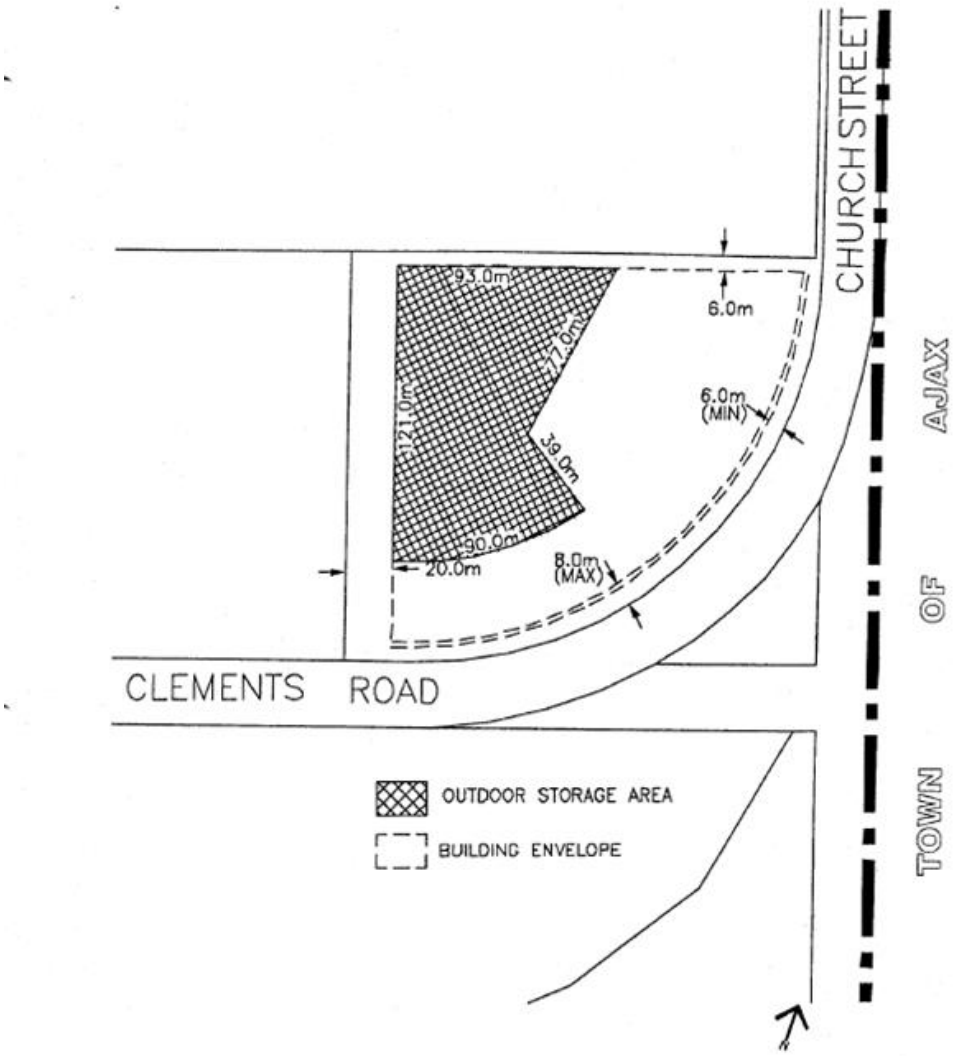
C. Section 5.21.2 (a) and (b) of By-law 2511, shall not apply to the lands zoned “M1-14”;

D. Despite Clause 5.21.2 (g) and (k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

iv. SPECIAL REGULATIONS:

A. A sales outlet, accessory to a permitted use, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

3. Figure 1



SCHEDULE II TO BY-LAW 6635/06
PASSED THIS 6th
DAY OF MARCH 2006

MAYOR

CLERK

15.58 Exception Zone 58 (By-law 6685-06)

1. Definitions

   a) “Dredging” shall mean the use of vehicles, equipment and / or machinery to remove sediment from the bottom of waterways, wetlands and other bodies of water and / or to deepen or widen a harbour;

   b) “Recreation” shall mean a public or private social occasion, including uses such as an exhibition, barbecues, parties, private or corporate promotional or appreciation gatherings, regattas or weddings and like events;

   c) “Height – Wind Turbine” shall mean the height of a wind turbine, being measured from the established grade to the top of the blades at their full vertical extension;

   d) “Wind Turbine” shall mean a structure or a system of components used to convert the kinetic energy of the wind into electrical or mechanical power that comprises all the necessary devices for energy storage, power conditioning, control systems, transmission systems and structural support systems, to provide electrical or mechanical power;

2. Provisions

   a) Uses Permitted (“(H)OS-R” Zone)

      No person shall within the lands designated “OS-R”, use any lot or erect, alter, or use any structure for any purpose except the following:

      i. dredging;

      ii. recreation;

      iii. wind turbine;

   b) Zone Requirements (“OS-R” Zone)

      No person shall within the lands designated “OS-R”, erect, alter, or use any structure for any purpose except in accordance with the following provisions:

      i. WIND TURBINE:

         A. maximum one wind turbine;

         B. maximum height of 65 metres;

      ii. SPECIAL REGULATIONS:

         A. Despite Section 1(b) and 2(a)(i), freestanding gazebos, shall be permitted having a maximum aggregate total floor area of 100 square metres;

3. Holding Provision – (H) Holding Symbol

    a) Holding Provision Requirements

        i. Permitted Uses

        While the “(H)” Holding Symbol is in place, no person shall, on the lands designated “(H)OS-R”, use the lands for any purpose other than for following:

        A. dredging;

        B. wind turbine;

        ii. Removal of the (H) Holding Symbol

        Prior to an amendment to remove the (H) Holding Symbol preceding the above zoning category “OS-R”, the following condition shall be met:

        A. an appropriate agreement shall be executed with, and to the satisfaction of, the City of Pickering and the Owner of the lands, and shall be registered on title to the lands to address matters such as pedestrian and vehicular access over Sandbar Road and Liverpool Road; any maintenance of Sandbar Road required as a result of damage caused by the recreation activities; health and safety matters respecting access over Liverpool and Sandbar Roads for recreation activities held on the lands; and scheduling of deliveries for event activities; and provision of parking.

15.59 Exception Zone 59 (By-law 6849-08)

1. Definitions

   a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   b) “Assembly Hall” shall mean a building or part of a building in which facilities are provided for purposes such as civic, educational, political, religious or social meetings and which may include an auditorium or a banquet facility;

   c) “Banquet Facility” shall mean a building or part of a building used for the purposes of catering to banquets, weddings, receptions or similar functions for which food and beverages are prepared and served on the premises which may include an assembly hall but shall not include a restaurant;

   d) “Build-to-Zone” shall mean an area of land within which all or part of a building or buildings are to be located;

   e) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above and below grade designated and intended for owner or tenant occupancy or exclusive use inclusive of banquet rooms, offices and meeting rooms, sound rooms or other special purpose rooms, and kitchen areas for the preparation of food but shall not include entrance and foyer areas on the ground floor or mezzanine levels, elevators, stairs, or similar common areas inclusive of service areas, washrooms, storage areas and mechanical and/or equipment rooms whether such facilities are below or above grade;

   f) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

   h) “Restaurant - Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;

2. Provisions

   a) Uses Permitted (‘MC-20’ Zone)

No person shall, within the lands zoned ‘MC-20’, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. All uses permitted under ‘M2’ Zone

ii. Banquet Facility

b) Zone Requirements (‘MC-20’ Zone)

No person shall within the lands designated ‘MC-20’ use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS

A. Building Location and Setbacks:

1) Buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached to this By-law;

2) Buildings shall be located in such a manner that 50% of the length of the build-to-zone, as indicated on Figure 1 attached to this By-law, contains all or part of a building or buildings;

B. Building Height: minimum 6 metres, maximum 12 metres;

C. Open Storage:

1) All uses other than parking shall take place entirely within enclosed buildings or structures with no outside storage or display permitted;

2) Despite Section 2(b)(i)(C)(1) of this By-law, Section 17.3 of By-law 2511 shall apply to uses permitted under the ‘M2’ Zone;

ii. PARKING REQUIREMENTS

A. There shall be provided and maintained on the lot a minimum of 10.8 parking spaces for every 100 square metres of gross leasable floor area of the banquet facility;

B. All uses under ‘M2’ are subject to the Minimum Off Street Parking Requirements under Section 5.21.1

C. Drive aisle widths shall be setback a minimum of 1.5 metres from the building wall;

D. Where a drive aisle abuts a side lot line, there shall be a 1.5 setback therefrom;

E. Clauses 5.21.2a) to 5.21.2e) inclusive, of By-law 2511, as amended, shall not apply to the lands designated ‘MC-20’

F. Despite Clauses 5.21.2b) of By-law 2511, as amended, side yard parking shall be setback 1.5 metres from all side lot lines.

G. Parking shall be setback 1.5 metres from all rear lot lines.

H. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking

areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

iii. SPECIAL REGULATIONS

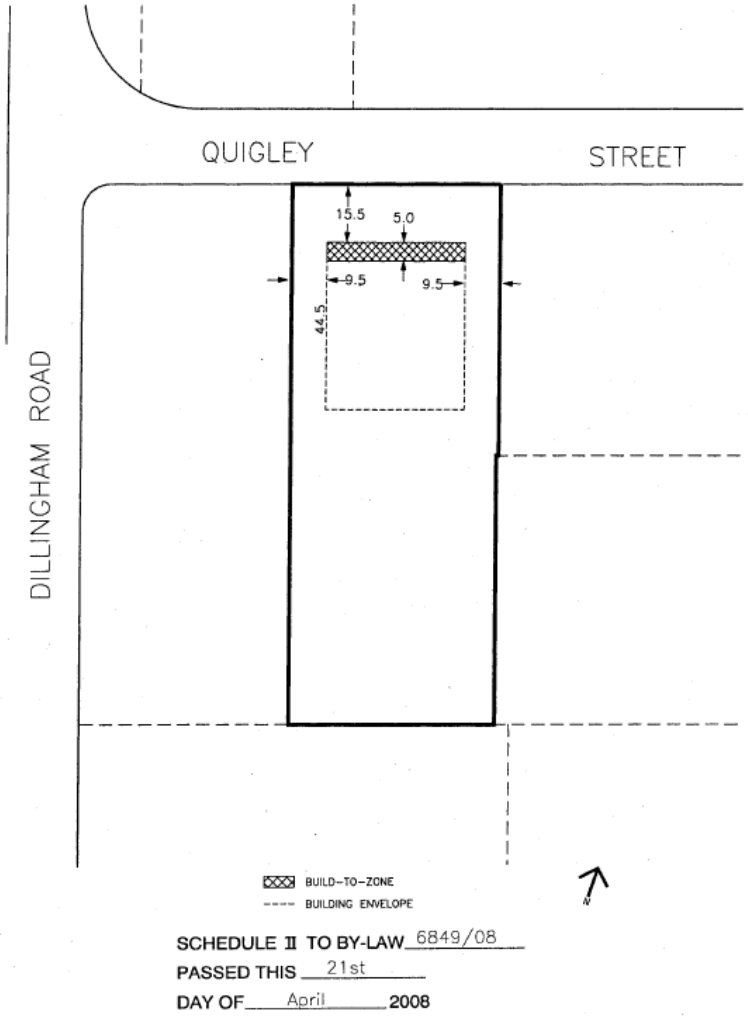
A. The maximum combined gross leasable floor area for all uses on the lands zoned ‘MC-20’ shall be 1500 square metres;

B. No portion of the building or structure below finished grade be used for the purposes of public assembly;

C. One outdoor patio located at the rear of the building with a maximum area of 70 square metres is permitted;

D. Despite Section 2(b)(i)(A)(1), a front yard canopy in connection with a banquet facility with a maximum height of 6 metres may encroach into the front yard, 12.5 metres beyond the building envelope;

3. Figure 1



15.60 Exception Zone 60 (By-law 6919-08)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   e) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   h) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   i) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   j) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

   k) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

l) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

q) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

r) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions “R4-21” Zone

a) Uses Permitted (“R4-21” Zone)

No person shall, within the lands zoned “R4-21” , use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“R4-21” Zone)

No person shall within the lands designated “R4-21” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 320 square metres;

ii. Lot Frontage (minimum): 13.5 metres;

iii. Front Yard Depth (minimum): 4.5 metres;

iv. Rear Yard Depth (minimum): 6.0 metres;

v. Side Yard Width (minimum): 1.5 metres;

vi. Flankage Side Yard Width (minimum): 2.7 metres;

vii. Building Height (maximum): 12.0 metres;

viii. Lot Coverage (maximum): 40 percent;

ix. Garage Requirements minimum one private garage per lot attached to the main building and vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

x. Garage Projection (maximum): 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. Uncovered steps and platform projection into rear yard (maximum): 1.5 metres for any uncovered steps and platform not exceeding 2.0 metres in height;

xii. Special Regulation: Despite Section 2.1 and 5.19 (c) of By-law 2511, a gazebo having a maximum ground floor area of 30 square metres and a maximum height of 5.5 metres, and a boathouse having a maximum ground floor area of 42 square metres and a maximum height of 4.0 metres, shall be permitted as accessory structures in the location as they existed on the date of passing of this by-law, with or without a primary residential building;

xiii. Interpretation Regulation: Despite any requirement of this By-law, for lots that are divided into two zones, each such portion of the lot shall be considered a lot for the purpose of this By-law and shall be used in accordance to the zone and the zone requirements.

3. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands designated “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

b) Zone Requirements (“OS-HL” Zone)

i. No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes;

ii. Despite Clause (i) above, docks are permitted within the “OS-HL” Zone.

15.61 Exception Zone 61 (By-law 6974-09, as amended by By-law 7519-16 and By-law 7828-21)

1. Definitions

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to designed to appeal to erotic or sexual appetites or inclinations;

b) “Animal Boarding Establishment” shall mean a building, structure or part thereof, where dogs and cats and other domesticated animals, excluding livestock, are bred, raised, groomed, trained or kept or a fee on a temporary basis and may include outdoor facilities;

c) “Auction and Estate Sales” shall mean a building or part of a building where auctions are conducted and may include a warehouse component wherein products are stored on the premises until such time that a public auction is held;

d) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

e) “Banquet Facility” shall mean a building or part of a building used for the purposes of catering to banquets, weddings, receptions, or similar functions for which food and beverages are prepared and served on the premises but shall not include a restaurant;

f) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

g) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

h) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

i) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses

permissible within a place of amusement or entertainment as defined herein;

j) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

k) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

l) “Day Care Centre” shall mean indoor and outdoor premises where more than five children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act;

m) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to such processes;

n) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

o) “Exhibition Hall” shall mean a building or part of a building where the temporary exhibition of music, art, goods, wares, and the like are displayed and made available for sale and which may include a flea market use;

p) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

q) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

r) “Light Machinery and Equipment Supplier” shall mean a building or part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesaler retail sale to industrial or commercial establishments;

s) “Light Manufacturing Plant” shall mean a manufacturing plant used for the production of apparel and finished textile products other than the production of synthetic fibres; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of

cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plastic ware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

t) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

u) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

v) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

w) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

x) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

y) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;

z) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

aa) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a

music hall, a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, or an adult entertainment parlour as defined herein;

bb) “Place of Assembly” shall mean a building or part of building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

cc) “Place of Worship” shall mean a building or part of building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care centre, or nursery school;

dd) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

ee) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;

ff) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

gg) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;

hh) “Retail Store” shall mean a premises in which goods and merchandise are offered or kept for retail sale or rental to the public.

ii) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

jj) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or

investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

kk) “Vehicle Sales Establishment” shall mean an establishment having as its main use the sale, service, rent or lease of vehicles, and which may include an accessory vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

ll) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

mm) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

nn) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

oo) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

pp) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

qq) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

rr) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

ss) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

tt) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

uu) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

vv) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“MC-21” Zones)

No person shall within the lands designated “MC-21”, use any lot or erect, alter, or use any building or structure for any purpose except for the uses and in the locations as prescribed in the following chart:

Uses permitted in All Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Diagonally and Horizontally Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Cross Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Horizontally Hatched Areas as illustrated in Figure 1 attached hereto
Animal boarding establishment	Convenience store	Banquet facility	Day care centre
Auction and estate sales house	Dry cleaning depot	Club	
Bakery	Financial institution	Commercial club	
Business office	Personal service shop	Commercial-recreational establishment	
Commercial school	Restaurant – Type A	Exhibition hall	
Dry cleaning establishment	Retail store	Place of amusement or entertainment	
Food preparation plant		Place of assembly	
Light machinery and equipment supplier			
Light manufacturing plant			
Merchandise service shop			

Uses permitted in All Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Diagonally and Horizontally Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Cross Hatched Areas as illustrated in Figure 1 attached hereto	Uses permitted in only Horizontally Hatched Areas as illustrated in Figure 1 attached hereto
Office-associated commercial establishment			
Printing establishment			
Professional office			
Rental establishment			
Sales outlet			
Scientific, medical or research laboratory			
Vehicle sales establishment			
Warehouse			

b) Zone Requirements (“MC-21” Zone)

No person shall within the lands designated “MC-21”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. All buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached to this By-law;

B. A minimum of 40% of the length of the build-to zone as illustrated on Figure 1 attached hereto, shall contain a building or buildings, or part of a building or buildings;

C. Minimum Building Height in 6.5 metres diagonally hatched area

ii. OUTDOOR STORAGE AND DISPLAY

A. Outdoor storage and display is prohibited;

iii. PARKING REQUIREMENTS

A. No parking shall be located in the front yard;

B. There shall be provided and maintained on the lot a minimum of parking spaces calculated in accordance with the following provisions:

1.8 parking spaces per 100 square metres gross leasable floor area	2.5 parking spaces per 100 square metres gross leasable floor area	4.5 parking spaces per 100 square metres gross leasable floor area	5.5 parking spaces per 100 square metres gross leasable floor area	8.3 parking spaces per 100 square metres gross leasable floor area	10 parking spaces per 100 square metres gross leasable floor area
Bakery	Day care centre	Animal boarding establishment	Auction and estate sales house	Banquet facility	Exhibition hall
Dry cleaning establishment			Business office	Club	
Food preparation plant			Commercial club	Commercial school	
Light machinery and equipment supplier			Convenience store	Commercial-recreational establishment	
Light manufacturing plant			Dry cleaning depot	Place of amusement or entertainment	
Printing establishment			Financial institution	Place of assembly	
Rental establishment			Merchandise service shop		
Scientific, medical or research laboratory			Office-associated commercial establishment		
Vehicle sales establishment			Personal service shop		
Warehouse			Professional office		
			Retail store		
			Sales outlet		
			Restaurant – Type A		

C. Sections 5.21.2(a) and 5.21.2(b) of By-law 2511 as amended shall not apply to the lands designated “MC-21”;

D. Notwithstanding section 5.21.2(g) of By-law 2511, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

iv. SPECIAL REGULATIONS

A. Sales outlet shall be permitted only if accessory to an auction and estate sales house, a bakery, a food preparation plant, a light manufacturing plant, a merchandise service shop, a manufacturing plant, a printing establishment, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the auction and estate sales house, bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse;

B. Notwithstanding Clause (A) above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the auction and estate sales house, bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% or the total gross leasable floor area in that building;

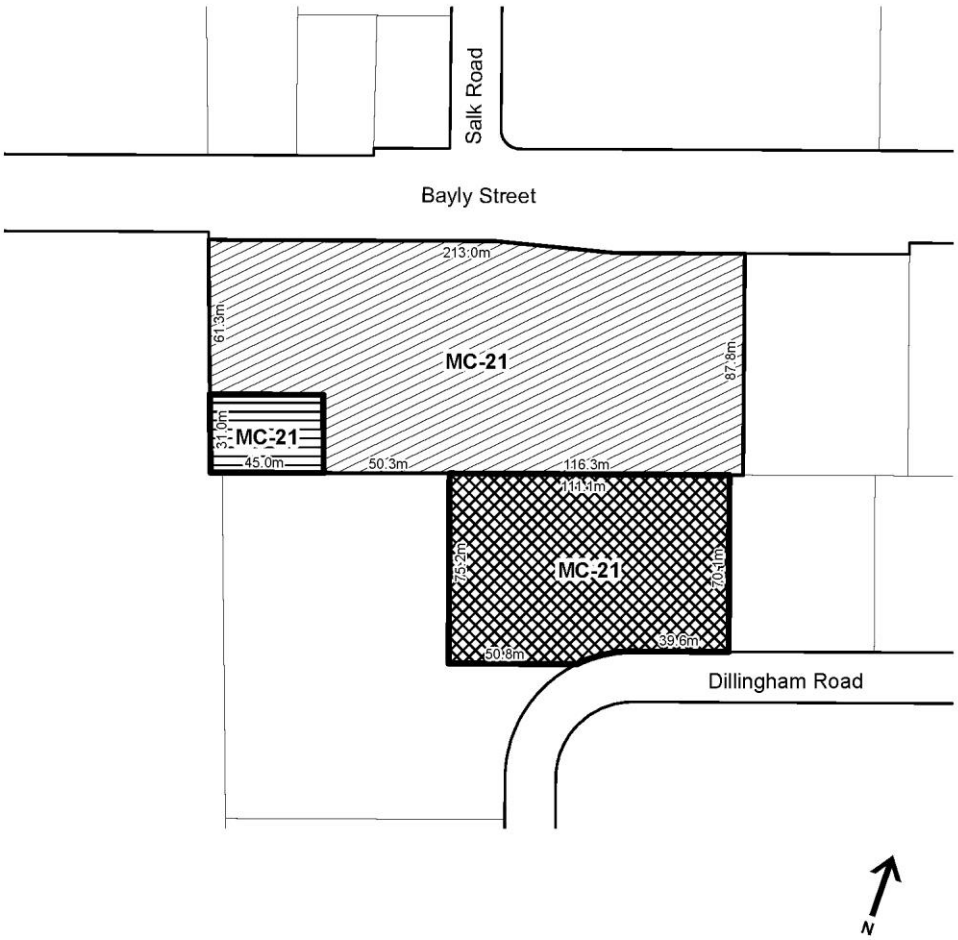
C. A maximum of 6 Restaurants – Type A shall be permitted;

D. The maximum aggregate gross leasable floor area for Restaurants – Type A shall be 1,300 square metres;

E. In addition to a Place of Amusement or Entertainment being permitted in the Cross Hatched Areas, a maximum of one (1) Place of Amusement or Entertainment facility shall be permitted within the Diagonally or Horizontally Hatched Areas up to a maximum gross leasable floor area of 150 square metres;

F. Despite clause 2(b)(i)(A), the build-to zone as illustrated on Figure 2 attached hereto, shall not apply to that portion of the frontage of the lot if a stormwater management pond is constructed directly adjacent to Bayly Street.

3. Figure 1

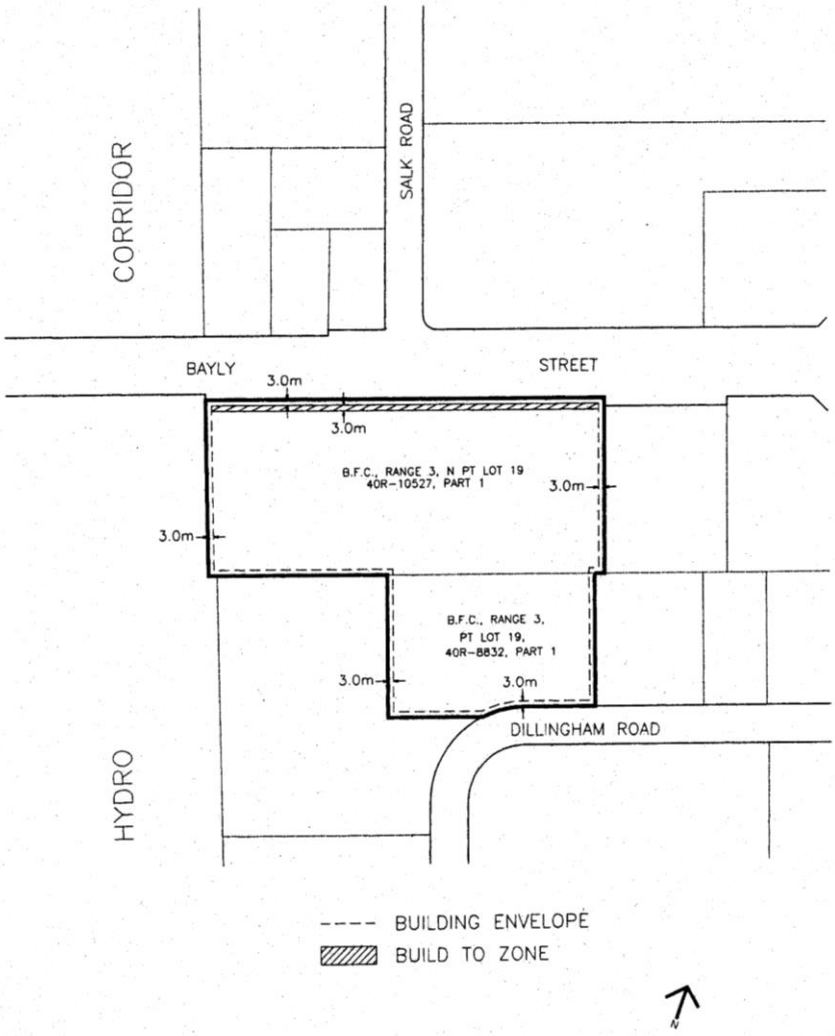


Schedule I to By-Law 6974/09
Amended by By-Law 7519/16
Amended by By-Law 7828/21
Passed This 22nd
Day of March 2021

Original Signed By:
Mayor

Original Signed By:
Clerk

4. Figure 2



SCHEDULE II TO BY-LAW 6974/09
PASSED THIS 13th
DAY OF JULY 2009

15.62 Exception Zone 62 (By-law 7082-10)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   i) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   j) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   k) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

r) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S4-9" Zone)

No person shall within the lands designated "S4-9", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S4-9" Zone)

No person shall within the lands designated "S4-9", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 325 square metres

ii. Lot Frontage (minimum): 11.0 metres

iii. Front Yard Depth (minimum): 6.0 metres

A. despite Section 5.8(b) of By-law 2511 as amended, uncovered and covered platforms/porches attached to a main dwelling may provide a front yard depth of 4.5 metres.

iv. Interior Side Yard Width (minimum):

A. for lot frontages 15.0 metres or greater:

1) 1.5 metres on both sides;

B. for lot frontages greater than 12.0 metres to 14.9 metres:

1) 1.2 metres on both sides;

C. for lot frontages less than or equal to 12.0 metres:

1) 1.2 metres one side, 0.6 metre on the other;

v. Flankage Side Yard Width (minimum): 2.7 metres

vi. Rear Yard Depth (minimum):

A. for lot depths less than or equal to 40.0 metres: 7.5 metres

B. for lot depths greater than 40.0 metres: 10.0 metres

C. where the rear yard abuts a CN Rail right-of-way: 30.0 metres

vii. Building Height (maximum): 12.0 metres

viii. Lot Coverage (maximum): 42 percent

ix. Parking Requirements:

A. minimum one private garage per lot attached to the main building; any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

C. a driveway width shall not occupy more than 55 percent of the front yard width.

x. Special Regulations:

A. rear yard uncovered steps and platforms less than or equal to 1.0 metre above grade may project a maximum of 2.5 metres;

B. rear yard uncovered steps and platforms exceeding 1.0 metre in height above grade and less than or equal to 6.0 metres in width may project a maximum of 1.5 metres.

15.63 Exception Zone 63 (By-law 7312-13, as amended by By-law 7392-14)

1. Definitions

   a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door;

   b) “Dwelling” shall mean a building or part of a building containing one or more dwelling units but does not include a mobile home or trailer;

   c) “Dwelling Unit” shall mean a one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) “Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) “Floor Area – Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

   h) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) “Lot Coverage” shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

   j) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

k) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business or service is conducted for profit or otherwise.

l) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lots;

q) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) “Interior Side Yard” shall mean a side yard other than a flankage side yard;

v) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions (“R4-22” Zone)

a) Uses Permitted (“R4-22” Zone)

No person shall, within the lands zoned “R4-22”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements (“R4-22” Zone)

No person shall within the lands designated “R4-22” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. Lot Frontage (minimum):

A. 16.0 metres

B. 14.0 metres for lots in the hatched and cross hatched areas as shown on Figure 1 attached to this by-law

ii. Lot Area (minimum): 460 square metres

iii. Front Yard Depth (minimum):

A. 7.5 metres for lots fronting Park Crescent

B. 4.5 metres to the dwelling and 6.0 metres to the garage for all other lots

iv. Side Yard Width (minimum):

A. 1.2 metres

B. 2.0 metres on the south side yard of the properties abutting existing residential to the south along Cliffview Road and Park Crescent, as shown on Figure 2 attached to this by-law

v. Flankage Side yard width (minimum): 2.7 metres

vi. Rear Yard Depth (minimum): 7.5 metres

vii. Building Height (maximum):

A. 9.0 metres for all properties fronting or adjacent to Park Crescent with a front yard depth less than 10.0 metres

B. 9.5 metres for all properties fronting or adjacent to Park Crescent with a minimum front yard depth of 10.0 metres

C. 10.0 metres for all properties fronting or adjacent to Park Crescent with a minimum front yard depth of 12.5 metres

D. 10.7 metres for all properties fronting or adjacent to Park Crescent with a minimum front yard depth of 15.0 metres

E. 10.7 metres for properties fronting Cliffview Road and not abutting Park Crescent

viii. Lot Coverage (maximum):

A. 33 percent

B. 40 percent for lots in the cross hatched and dashed areas as shown on Figure 1 attached to this by-law

ix. Garage Requirements:

minimum one private garage per lot and the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is the street

x. Garage Projection (maximum):

A. 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit

B. despite A above, where the front wall is not the wall containing the main entrance to the dwelling unit, garages shall not extend beyond the front wall of the dwelling for any lots fronting Park Crescent

xi. Obstruction of Yards (maximum):

A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard and minimum flankage side yard

B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade, may encroach a maximum of 3.0 metres into the required rear yard

C. bay, bow or box window may encroach a maximum into required yards as follows:

1) front yard: 0.6 metres

2) flankage yard: 0.6 metres

3) rear yard: 0.6 metres

4) eaves above these features: may project to a further 0.6 metres into the required front, flankage or rear yards

3. Provisions (“R4-HL” Zone)

a) Uses Permitted (“R4-HL” Zone)

No person shall within the lands designated “R4-HL”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. existing detached dwelling

b) Zone Requirements (“R4-HL” Zone)

i. On lands zoned “R4-HL” the minimum lot frontage shall be 41 metres and the minimum lot depth shall be 59 metres.

ii. The minimum yards shall be the yards existing on the date this by-law came into effect. However, yards, except the front yard, may be decreased by 10% subject to an approved heritage permit application.

4. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands designated “OS-HL”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife

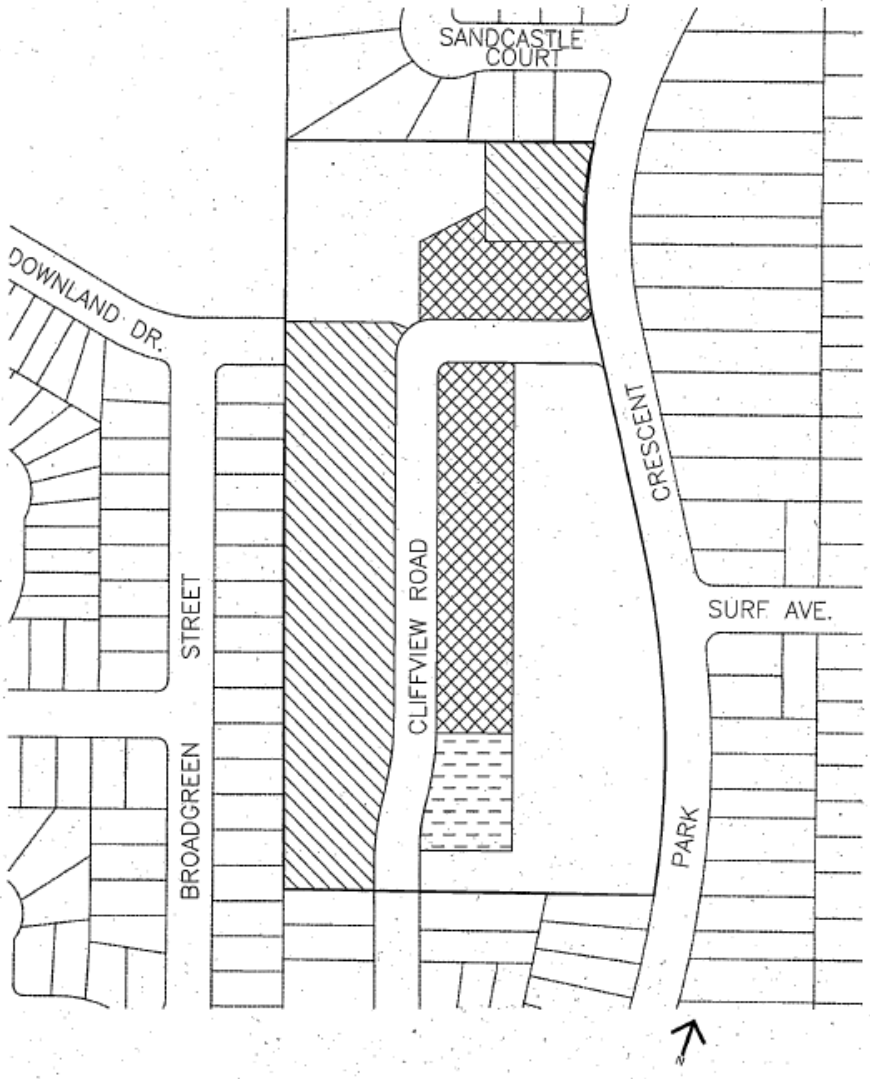
ii. resource management

iii. pedestrian trails and walkways

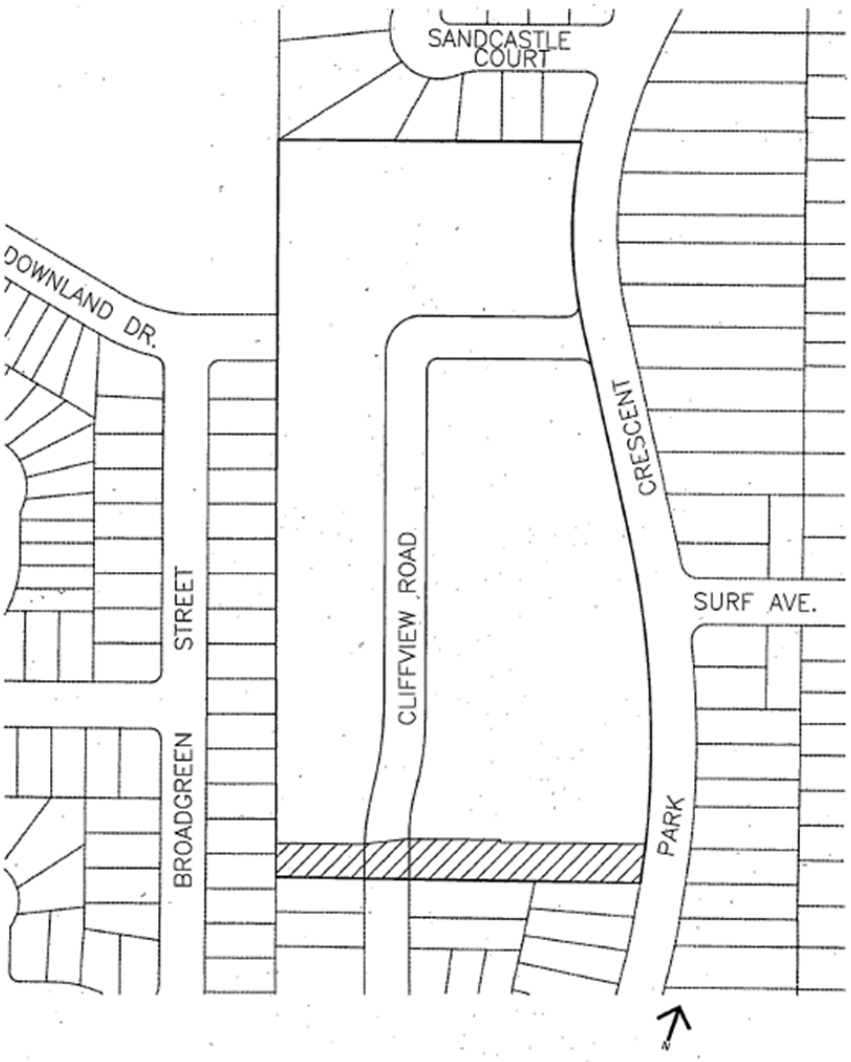
b) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

5. Figure 1


SANDCASTLE COURT
DOWNLAND DR.
STREET
BROADGREEN
CLIFFVIEW ROAD
CRESCENT
SURF AVE.
PARK
N
SCHEDULE II TO BY-LAW 7312/13
PASSED THIS 28th
DAY OF October 2013
MAYOR
D. Shields
CLERK

6. Figure 2



SCHEDULE III TO BY-LAW 7312/13
PASSED THIS 28th
DAY OF October 2013

MAYOR

D. Shields
CLERK

15.64 Exception Zone 64 (By-law 7383-14, as amended by By-law 7410-15)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, and may or may not include a window seat; and may include a door;

b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

d) "Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

e) “Dwelling, Single Attached or Single Attached Dwelling” shall mean one of a group of not less than 3 adjacent dwelling units attached together horizontally by one above ground common wall;

f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

h) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge;

i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

j) "Lot Coverage" shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

k) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

w) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions (“SA-22” Zone)

a) Uses Permitted (“SA-22” Zone)

No person shall within the lands zoned “SA-22”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Single Attached Dwelling

b) Zone Requirements (“SA-22” Zone)

No person shall within the lands zoned “SA-22” use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table:

		“SA-22” Zone
(a)	Lot Frontage (minimum)	7.0 metres
(b)	Lot Area (minimum)	190 square metres
(c)	Front Yard Depth (minimum)	4.0 metres
(d)	Rear Yard Depth (minimum)	7.5 metres
(e)	Side Yard Width (minimum)	1.5 metres except where dwellings on abutting lots share a common wall, no interior side yard
(h)	Building Height (maximum)	9.5 metres
(i)	Internal Garage Width (minimum)	(i) Lots with minimum Lot Frontage of 10.0 metres and less – 3.7 metres (ii) Lots with minimum Lot Frontage of 11.0 metres – 5.5 metres

3. Special Provisions (“SA-22” Zone)

The following special provisions shall apply to lands zoned “SA-22”

a) Building Height:

i. notwithstanding Section 1(h), “Building Height” shall mean the vertical distance between the established grade, at the front of the house, and the highest point of the roof surface (finished upper floor);

ii. notwithstanding provision 2(b)(h), a parapet wall may project a maximum of 1.8 metres above the highest point of the roof surface (finished upper floor);

b) Outdoor Private Amenity Area:

i. a minimum of 25.0 square metres of outdoor private amenity area shall be provided and located on the roof top terrace;

ii. accessory structures such as pergolas, sheds or other similar structures shall not be permitted on the roof top terrace;

iii. a privacy fence located on the roof top terrace shall have a maximum height of 1.8 metres from the highest point on the roof surface (finished upper floor);

iv. the outdoor private amenity area located on the roof top terrace shall not be enclosed;

c) Elevator and Stairwell Enclosures:

notwithstanding provision 2(b)(h), elevator and stairwell enclosures may project a maximum of 2.5 metres above the highest point of the roof surface (finished upper floor);

d) Garage Requirements:

minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

e) Garage Projection (maximum):

2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

f) Obstruction of Yards (maximum):

i. covered and unenclosed porches, veranda or balcony, with or without foundations, may encroach a maximum of 3.0 metres into the required minimum front yard and stairs may encroach an additional 1.0 metre into the required front yard;

ii. uncovered decks, platforms and steps may encroach a maximum of 3.0 metres into the required rear yard;

iii. bay, bow or box window may encroach a maximum into required yards as follows:

A. front yard 0.6 metres

B. flankage yard 0.6 metres

C. rear yard 0.6 metres

D. eaves above these featuresmay project to a further 0.6 metres into any required yards

g) Parking Requirements:

For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which must be provided within an attached private garage.

15.65 Exception Zone 65 (By-law 7984-23)

1. Definitions

a) “Automobile Sales Showroom” means a building or part of a building where new or used vehicles are displayed and/or offered for sale, rent or lease.

b) “Automobile Service Repair Garage” means an establishment for the servicing or repairing of automobiles, but shall not include a body shop.

c) “Body Shop” means an establishment in which motor vehicle bodies are repaired and/or painted.

d) “Building Height” means the vertical distance between the average grade as measured along the front wall, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. Ornamental fixtures such as a cupola or antenna shall not be included in calculating the height of a building.

e) “Build-to-Zone” means an area of a property within which all or part of one (1) or more buildings or structure is to be located.

f) “Gross Floor Area” means the total area, expressed in square metres (m2) of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

g) “Inoperative Vehicle” means a motor vehicle that is mechanically inoperative, and/or is in a state that precludes immediate use.

h) “Landscaped Area” means the open unobstructed space from ground to sky at grade which is suitable for the growth and maintenance of grass, flowers, bushes and other landscaping and includes any surfaced walk, patio, stairs or similar area but does not include any driveway, or ramp, whether surfaced or not, any curb, retaining wall, parking area, interior courtyard, or any easement for the purposes of underground or overhead utilities or services where located within a front yard or exterior side yard.

i) “Lot” means a parcel of land fronting on a street, whether or not occupied by a building or structure.

j) “Lot Frontage” means the horizontal distance between the side lot lines of a lot measured along a line parallel to and 6.0 metre distant from the front lot line.

k) “Lot Line” means a line delineating any boundary of a lot.

l) “Lot Line, Flankage Side” means the side lot line, which separated a lot from the street adjacent to it.

m) “Lot Line, Front” means the lot line, which separates a lot from the street in front of it. Where more than one (1) lot line separates a lot from the street, the front lot line shall be the shorter lot line. Where a lot is a through lot, the lot line abutting the wider street right-of-way shall be the front lot line. In the case of a through lot, where both streets are of the same width, the City may designate either street line as the front lot line.

n) “Lot Line, Interior Side” means a side lot line, which is not adjacent to a street.

o) “Lot Line, Rear” means the lot line opposite to, and most distant from, the front lot line, but where the side lot lines intersect, as in the case of a triangular lot, the rear lot line shall be represented by the point of intersection.

p) “Lot Line, Side” means all lot lines, which join both a front lot line and a rear lot line.

q) “Office” means a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration, but shall not include a medical office.

r) “Office-associated Commercial Establishment” means an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store.

s) “Outdoor Storage” means the occasional or continuous keeping of goods, inventory, materials or machinery or equipment outside, but does not include damaged, impounded or inoperative vehicles.

t) “Printing Shop” means an establishment used for blueprinting, engraving, electrotyping, photocopying, plotting from disk, printing, stereotyping or typesetting.

u) “Yard” means any open, uncovered, unoccupied space appurtenant to a building.

v) “Yard, Flankage Side” means a side yard adjacent to a street.

w) “Yard, Front” means a yard extending across the full width of the lot between the front lot line and the nearest wall of any main building on the lot for which the yard is required.

x) “Yard, Interior Side” means a side yard not adjacent to a street.

y) “Yard, Rear” means a yard extending across the full width of the lot between the rear lot line and the nearest wall of any main building on the lot for which the yard is required.

z) “Yard, Side” means a yard extending from the front yard to the rear yard between the side lot line and the nearest wall of any building or structure on the lot for which the yard is required.

2. Permitted Uses and Zone Regulations (“CA5” Zone)

a) Permitted Uses (“CA5” Zone)

No person shall, within the lands zoned “CA5”, use any lot or erect, alter, or use any building or structure for any purpose except for the following:

i. Office

ii. Automobile Sales Showroom

iii. Automobile Service Repair Garage

iv. Office-associated Commercial Establishment

v. Printing Shop

b) Zone Regulations (“CA5” Zone)

No person shall, within the lands zoned “CA5”, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

i) Lot Frontage	minimum – 45.0 metres
ii) Lot Area	minimum – 0.5 of a hectare
iii) Building Setbacks	no building or part of a building or structure shall be erected outside of the building envelope, as shown on Figure 1 to this By-law no building or part of a building or structure shall be erected within the building envelope, unless a minimum of 80 percent of the length of the build-to-zone, as shown on Figure 1 to this By-law, contains a building or part of a building
iv) Building Height	minimum – 5.0 metres
v) Gross Floor Area (GFA)	minimum – 900.0 square metres
vi) Landscaped Area	minimum – 20 percent of the lot

c) Vehicular Parking Regulations

i. Minimum Parking Requirements

A. Office, Automobile Sales Showroom, Automobile Service Repair Garage	3.0 parking spaces per 100 square metres of Gross Floor Area (GFA)
B. All other permitted uses	5.5 parking spaces per 100 square metres of GFA

ii. Surface Parking Spaces

All surface parking shall be setback a minimum of 13.0 metres from the lot lines abutting Bayly Street and Brock Road.

d) Outdoor Storage and Display

i. No outdoor storage or display of inoperative vehicles or equipment is permitted on the lot.

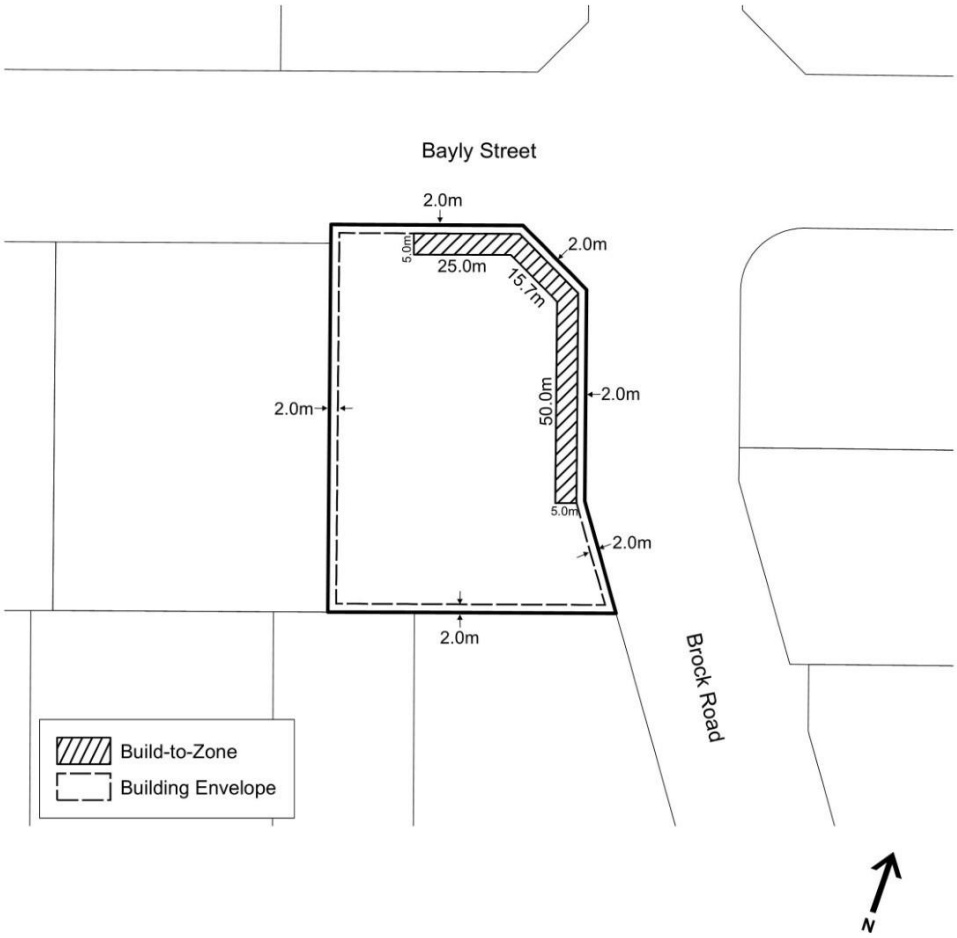
ii. Notwithstanding Section 2(d)(i) above, the display of automobiles in association with an Automobile Sales Showroom shall be permitted on the lot.

iii. No required parking space, as required in Section (3) a) above, may be used for the storage or display of automobiles.

e) Garbage Facilities

All garage facilities shall be contained within a fully enclosed structure attached or integrated into a building.

3. Figure 1



Schedule II to By-Law 7984/23
Passed This 23rd Day
of January 2023

Original Signed By
Mayor

Original Signed By
Clerk

15.66 Exception Zone 66 (By-law 7916-22)

1. Definitions

a) “Balcony” shall mean an attached covered or uncovered platform projecting or recessed from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

b) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

c) “Deck” shall mean a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

d) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

e) “Dwelling, detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

f) “Dwelling Depth” shall mean a horizontal distance measured from the front wall of a dwelling to the rear wall of a dwelling, excluding any allowable projection.

g) “Front Entrance” shall mean the principal entrance oriented towards the front lot line providing access to the interior of a dwelling from the exterior and does not include an access provided through an attached private garage. In the case of a corner lot, the principal entrance providing access to the interior of a dwelling from the exterior may be oriented towards the side lot line that is adjacent to the street, or abutting on a reserve on the opposite side of which is a street.

h) “Grade” or “Established Grade” shall mean, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front wall of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.

i) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

j) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

k) “Lot Coverage” shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area.

l) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

m) “Porch” shall mean a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.

n) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

o) “Storey” shall mean the portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

p) “Wall, Front” shall mean a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.

q) “Yard” shall mean an area of land which is appurtenant to and located on

r) the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

s) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

t) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

u) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

v) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot

line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

w) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

x) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

y) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

z) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

aa) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“OS” Zone)

No person shall within the lands zoned “OS”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management; and

iii. stormwater management facilities.

b) Uses Permitted (“R4-23” and “R4-24” Zones)

No person shall within the lands zoned “R4-23” and “R4-24”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Detached dwelling

c) Zone Requirements (“R4-23” and “R4-24” Zones)

No person shall within the lands zoned “R4-23” and “R4-24”, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

		“R4-23” Zone	“R4-24” Zone
(a)	Lot Area (minimum)	410 square metres	
(b)	Lot Frontage (minimum)	(i) 13.5 metres	(i) 15 metres
		(ii) 14 metres for the lands in the diagonal hatched area as shown on Figure 1 to this By-law	(ii) 12.5 metres for the lands in the cross hatched area as shown on Figure 1 to this By-law
(c)	Front Yard Depth (minimum)	(i) 6.0 metres	6.0 metres
		(ii) 4.5 metres for the lands in the diagonal hatched area as shown on Figure 1 to this By-law	
(d)	Side Yard Width (minimum)	1.5 metres	
(e)	Flankage Side Yard Width (minimum)	4.5 metres	
(f)	Rear Yard Depth (minimum)	7.5 metres	
(g)	Dwelling Depth (maximum)	(i) For lots with depths up to and including 40 metres: 17 metres	
		(ii) For lots with depths greater than 40 metres: 20 metres	

(h)	Front Entrance (maximum elevation)	The maximum elevation of the front entrance shall be 1.2 metres above the average grade, which is measured along the front wall of the dwelling, to the top of the platform (covered or uncovered) immediately outside of the front entrance.
(i)	Building Height (maximum)	9.0 metres
(j)	Lot Coverage (maximum)	39 percent
(k)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit, one of which must be provided within an attached private garage.
(l)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of a private garage.
(m)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line.
(n)	Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres. However, the width may include one interior step and the depth may include two interior steps.

3. Special Provisions (“R4-23” and “R4-24” Zones)

   a) Obstruction of Yards (maximum):

      i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of 2.0 metres into the required front yard;

      ii. uncovered decks and associated stairs not exceeding 2.0 metres in height above established grade may encroach a maximum of

2.0 metres into the required rear yard, provided they are setback a minimum of 0.6 of a metre from the interior side lot line;

iii. balconies located above the first floor projecting or recessed in the rear are prohibited;

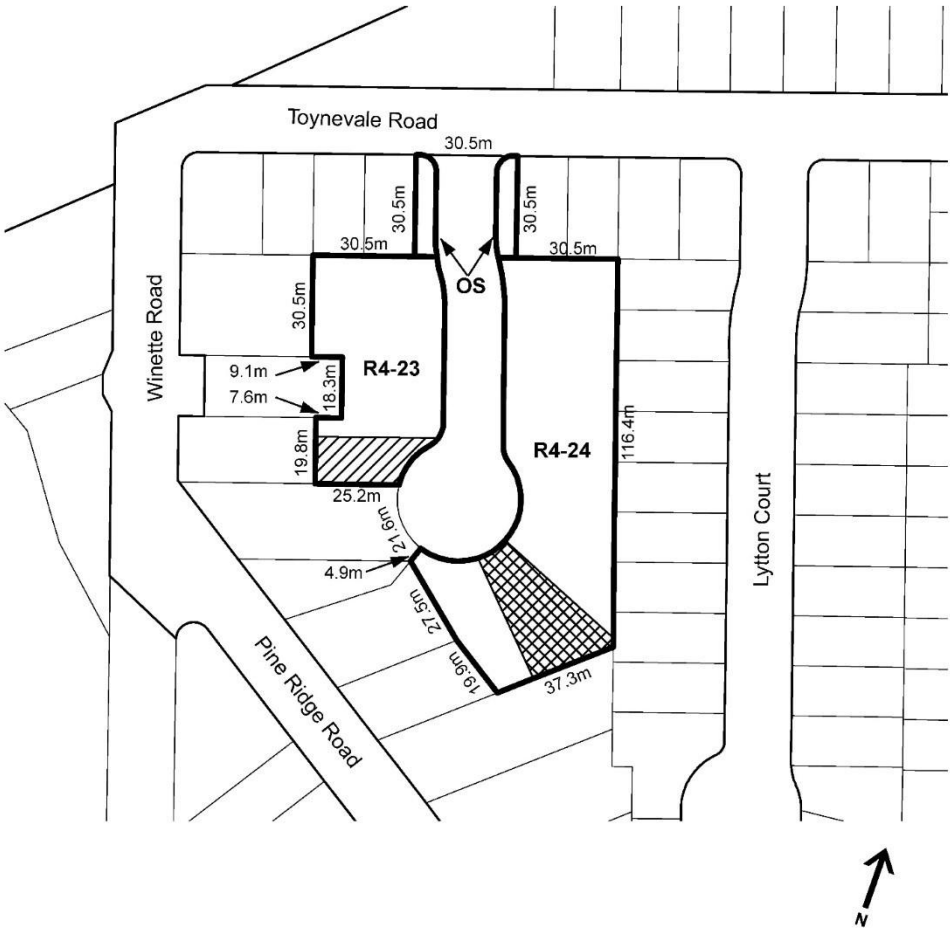
iv. stairs to an entrance may encroach to within a minimum of 0.6 of a metre from the interior side lot line;

v. stairs to a below grade access may encroach a maximum of 2.0 metres into the required rear yard;

vi. a bay, box or bow window, with or without foundation, having a width of up to 4.0 metres may encroach a maximum of 0.6 metres into any required yard or half the required interior side yard, whichever is less; and

vii. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features may project a maximum of 0.6 of a metre into any required yard and are required to be setback a minimum of 0.6 of a metre from the interior side lot line.

4. Figure 1



Schedule I to By-Law 7916/22
Passed This 28th
Day of March 2022

Mayor

Clerk

15.67 Exception Zone 67 (By-law 7793-20)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

b) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

c) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

d) “Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

e) “Dwelling, Detached Bungalow” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures that is limited to a maximum building height of one (1) storey.

f) “Dwelling Depth” shall mean a horizontal distance measured from the front wall of a dwelling to the rear wall of a dwelling, excluding any allowable projection.

g) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

h) “Front Entrance” shall mean the principal entrance oriented towards the front lot line providing access to the interior of a dwelling from the exterior and does not include an access provided through an attached private garage. In the case of a corner lot, the principal entrance providing access to the interior of a dwelling from the exterior may be oriented towards the side lot line that is adjacent to the street, or abutting on a reserve on the opposite side of which is a street.

i) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

j) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a

public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

k) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

l) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

m) "Storey” shall mean the portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

n) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

o) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

p) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

q) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

s) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

t) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

u) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

v) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

w) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

x) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions

a) Uses Permitted (“S4-18” and “S4-19” Zone)

No person shall within the lands zoned “S4-18” and “S4-19”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Dwelling, Detached

ii. Dwelling, Detached Bungalow

b) Zone Requirements (“S4-18” and “S4-19” Zones)

No person shall within the lands zoned “S4-18” and “S4-19”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

		“S4-18” Zone	“S4-19” Zone
(a)	Lot Frontage (minimum)	15.0 metres	12.2 metres
(b)	Lot Area (minimum)	500 square metres	
(c)	Front Yard Depth (minimum)	7.5 metres	6.0 metres
(d)	Side Yard Depth (minimum)	1.5 metres on both sides	1.2 metres on one side, and 0.6 of a metre on the other side
(e)	Flankage Yard Depth (minimum)	4.0 metres	
(f)	Rear Yard Depth (minimum)	7.5 metres	10.0 metres
(g)	Dwelling Depth (maximum)	17.7 metres	18.5 metres
(h)	Height of Front Entrance (maximum)	1.2 metres between established grade and the top of the floor immediately inside the front entrance	

		"S4-18" Zone	"S4-19" Zone
(i)	Building Height (maximum)	9.0 metres	
(j)	Lot Coverage (maximum)	33 percent	35 percent
(k)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit for resident, one of which must be provided within an attached private garage.	
(l)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of the private garage(s).	
(m)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.	
(n)	Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 5.6 metres and a minimum depth of 6.0 metres; however, the width may include one interior step and the depth may include two interior steps.	
(o)	Garage Projection	A maximum 2.0 metres projection beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.	

3. Special Provisions

The following special provisions shall apply to lands zoned "S4-18" and "S4-19":

a) Obstruction of Yards (maximum):

i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of 2.0 metres into the minimum required front or flankage yard;

ii. uncovered balconies, decks and associated stairs, not exceeding 1.5 metres in height above grade may encroach a maximum of 3.0 metres into the required rear yard, provided they are setback 0.6 metres from a side lot line;

iii. balconies located above the first floor projecting or inset in the rear are prohibited;

iv. bay, box or bow window, with or without foundation, having a width of up to 4.0 metres may encroach a maximum of 0.6 metres into any required yard or half the required side yard, whichever is less; and

v. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features are permitted to project a maximum of 0.6 metres into any required yard and are required to be setback 0.6 metres from a side lot line.

b) Despite Section 2.46(c) of By-law 2511, as amended, the following definitions shall apply to the lands identified in a cross-hatched pattern on Figure 1:

i. “Front Lot Line” shall mean the most northerly lot line.

ii. “Rear Lot Line” shall mean the lot line running parallel to and opposite of the front lot line.

iii. “Side Lot Line” shall mean all other lot lines that are not a front lot line or rear lot line.

c) Despite Sections 2(b)(g), 2(b)(i) and 2(b)(j) of this By-law the following provisions shall apply for Dwellings, Detached Bungalow on lands zoned “S4-19”:

i. Building Height (maximum): 6.0 metres

ii. Dwelling Depth (maximum): 22.3 metres

iii. Lot Coverage (maximum): 42 percent

4. Provisions (“(H) S4-19” Zone)

a) Uses Permitted (“(H) S4-19” Zone)

Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than the following:

i. Private Open Space

b) Zone Requirements (“(H) S4-19” Zone)

The “(H)” Holding Symbol shall be removed from the “S4-19” zone until the completion of the following:

i. Gillmoss Drive is extended further east to the satisfaction of the City.

5. Model Homes

a) Despite the provisions of Clause 6.1 of By-law 2511, a maximum of 2 model homes, together with not fewer than two parking spaces per Model Home, may be constructed on the lands subject to this By-law prior to the division of those lands by registrations of a plan of subdivision or enacting a by-law exempting those lands from the Part Lot Control provisions of the *Planning Act*.

b) For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

6. Figure 1

Schedule I to By-Law 7793/20
Passed This 23rd
Day of November 2020

Mayor

Clerk

15.68 Exception Zone 68 (By-law 7724-19)

1. Definitions

a) “Balcony” means an attached uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

b) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

c) “Building Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridges.

d) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from the building and from grade.

e) “Driveway” means that portion of a lot used to provide vehicular access from a roadway to an off-street parking area of loading space located on the same lot as the principal use. On a lot containing a detached dwelling, semi-detached dwelling, street townhouse dwelling back-to-back townhouse dwelling or block townhouse dwelling, the driveway may contain a parking space.

f) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

g) “Dwelling Unit” means one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

h) “Dwelling, Detached” means a single dwelling which is freestanding, separate, and detached from other main buildings or structures.

i) “Floor Area – Residential” means the area of the floor surface contained within the outside walls of a storey or part of a storey.

j) “Frontage” means that part of a lot that abuts a street measured along the street line.

k) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or

open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) “Lot Coverage” means the percentage of lot area covered by all buildings on the lot;

m) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

n) “Parapet Wall” means the portion of an exterior wall extending above the roof.

o) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building; a basement may be located under the porch.

p) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

q) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

r) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

s) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

t) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

u) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

w) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

x) “Interior Side Yard” means a side yard.

y) “Wall, Front” means the wall of the dwelling closest to the front lot line.

2. Provisions

a) Uses Permitted (“S4-17” Zone)

No person shall within the lands designated “S4-17”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Detached Dwelling

b) Zone Requirements (“S4-17” Zone)

No person shall within the lands designated “S4-17” use any lot or erect, alter or use any building except in accordance with the following provisions:

		“S4-17” Zone
(a)	Number of Lots (maximum)	2 lots
(b)	Lot Frontage (minimum)	10.0 metres
(c)	Lot Area (minimum)	305.0 square metres
(d)	Front Yard Depth (minimum)	6.0 metres
(e)	Side Yard Depth (minimum)	1.2 metres, and 0.6 of a metre on the other side
(f)	Rear Yard Depth (minimum)	7.5 metres
(g)	Building Height (maximum)	9.0 metres
(h)	Lot Coverage (maximum)	45 percent
(i)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit for resident, one of which must be provided within an attached private garage
(j)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of the private garage
(k)	Garage Requirements	Minimum one private garage per lot attached to the mail building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line
(l)	Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided; however, the width may include one interior step and the depth may include two interior steps
(m)	Garage Projection	A maximum of 1.5 metres projection beyond the wall containing the main entrance to the dwelling unit

c) Special Provisions

i. Projections such as window silts, chimney breasts, fireplaces, belt courses, cornices, plasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less;

ii. Porches and associated stairs not exceeding 1.0 metres in height above established grade may encroach a maximum of 2.0 metres into the required front yard;

iii. Balconies not exceeding 3.5 metres in height above grade may encroach a maximum of 2.0 metres into the required front and rear yard;

iv. Decks and associated stairs not exceeding 1.0 metre in height above grade may encroach a maximum of 2.0 metres into the required front and rear yard provided they are setback 0.6 of a metre from a side lot line;

v. A bay, box or bow window, with or without foundations, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less.

3. Section 37 Provisions

a) An indexed cash contribution of $40,000.00 to be paid to the City to be allocated towards the necessary upgrades to Balsdon Park;

b) In the event the cash contribution referred to in Section 3(a) of this By-law has not been used for the intended purposes within 3 years of the By-law coming into force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Director, City Development, in consultation with the Ward Councillor(s), provided that the purposes will benefit the community in the vicinity of the lands;

c) Pursuant to Section 37 of the *Planning Act*, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the subject lands subject to this By-law in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Section 3(a) of this By-law and which are secured by one or more agreements pursuant to Subsection 37(3) of the *Planning Act* that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

d) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions and obligations in this By-law are met; and

e) Despite Section 2(b)(a) of this By-law, an additional lot is permitted upon execution and registration on title of a Section 37 agreement pursuant to Section 3(c) of this By-law.

15.69 Exception Zone 69 (By-law 7675-19)

1. Definitions

a) “Building Height” shall mean the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between the eaves and ridge. A penthouse, tower, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical equipment of any building shall be disregarded in calculating the height of such building.

b) “Business Offices” shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a public or private agency, a business, a brokerage, or a labour or fraternal organization, and shall include a bank, a data processing establishment, a newspaper publishing plant, a radio or television broadcasting station and related studios or theatres, and telegraph office, but shall not include a professional office, a retail store or any other use defined herein.

c) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods or fabrics to be subjected to the dry cleaning or laundering elsewhere, and distributing articles, goods or fabrics which have been subjected to any such processes.

d) “Dry Cleaning Establishment” shall mean a building or part of a building used for dry cleaning or laundering of articles, goods or fabrics, but does not include a laundromat.

e) “Floor Area” shall mean the area of the floor surface or a storey or part of a storey.

f) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets.

g) “Frontage” or “Lot Frontage” shall mean the width of the lot between the side lot lines measured along a line parallel to and 6 metres distant from the front lot line.

h) “Gross Floor Area” shall mean the aggregate of the floor areas of all storeys of a building or structure other than a private garage, an attic or a cellar.

i) “Gross Leasable Floor Area” shall mean the total gross floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors if any, measured from the centre line of joint partitions and from outside wall faces.

j) “Laundromat” shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

k) “Light Manufacturing Plant” shall mean a manufacturing plant used for:

   i. The production of apparel and finished textile products other than the production of synthetic fibres.

   ii. Printing or duplicating.

   iii. The manufacture of finished paper and allied products other than the processing of wood pulp.

   iv. The production of cosmetics, drugs and other pharmaceutical supplies.

   v. The manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.

l) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as a site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

m) “Lot Area” shall mean the total horizontal area within the lot lines of the lot.

n) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on a lot.

o) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article.

p) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or a master plumber, but shall not include a retail store, a manufacturing plant, or any establishment used for the service or repair of vehicles.

q) “Office-associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store.

r) “Parking Space” shall mean a usable and accessible area, having a minimum width of 2.6 metres and a minimum length of 5.3 metres excluding aisle space and driveways to the parking lot, for the temporary parking of a vehicle.

s) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 154 (2)(b) of the *Municipal Act*, S.O. 2001, Chapter 25, as amended from time-to-time, or any successor thereto.

t) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting.

u) “Restaurant” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both.

v) “Sales Outlet” shall mean a building or a part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products.

w) “Scientific or Medical Laboratory” shall mean a building or part of a building wherein scientific or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations are manufactured or otherwise prepared for use on the premises.

x) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels.

y) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

z) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

aa) "Front Yard" shall mean a yard extending across the full width of the lot between the front lot line of the lot and the nearest wall of the nearest building or structure on the lot.

bb) "Rear Yard" shall mean a yard extending across the full width of the lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building on the lot.

cc) "Side Yard" shall mean a yard extending from the front yard to the rear yard and from the side lot line of the lot to the nearest wall of the nearest building on the lot.

dd) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is located a street.

ee) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MC-22" Zone)

No person shall, within the lands zoned "MC-22" , use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Business Office
ii. Dry Cleaning Depot
iii. Dry Cleaning Establishment
iv. Food Preparation Plant
v. Light Manufacturing Plant
vi. Merchandise Service Shop
vii. Office-associated Commercial Establishment
viii. Personal Service Shop
ix. Printing Establishment
x. Restaurant
xi. Sales Outlet
xii. Scientific or Medical Laboratory
xiii. Vehicle Repair Shop
xiv. Warehouse

b) Zone Requirements (“MC-22” Zone):

No person shall within the lands designated “MC-22” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Lot Area (minimum) – 0.4 hectares

ii. Lot Frontage (minimum) – 45 metres

iii. Front Yard (minimum) – 12 metres

iv. Side Yard (minimum)

A. Interior Side Yard – 4.5 metres

B. Flankage Side Yard – 12 metres

v. Rear Yard (minimum) – 7.5 metres

vi. Lot Coverage (maximum) – 40 percent

vii. Building Height (maximum) – 12 metres

c) Parking Requirements:

i. There shall be provided and maintained on the lot a minimum of 3.4 parking spaces per 93 square metres of gross floor area for all uses.

ii. Sections 5.21.2 (a) and 5.21.2 (b) of By-law 2511, as amended, shall not apply to the lands designated “MC-22”

3. Special Provisions:

a) A sales outlet shall be permitted only if accessory to a food preparation plant, a light manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, provided the gross leasable floor area of the sales outlet does not exceed 20 percent of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, printing establishment or warehouse.

b) A dry cleaning depot shall be permitted only if accessory to a dry cleaning establishment, provided the gross leasable floor area of the dry cleaning depot does not exceed 20 percent of the gross leasable floor area of the dry cleaning establishment.

c) The maximum aggregate gross leasable floor area shall be:

i. for all office-associated commercial establishments on the lot: 500 square metres

ii. for all personal service shops on the lot: 500 square metres

iii. for all restaurants on the lot: 400 square metres

15.70 Exception Zone 70 (By-law 7404-15, as amended by By-law 7661-18, By-law 7735-20, Application P/CA 46/19 and Application P/CA 49/19)

1. Definitions

   a) “Amphitheatre” shall mean an open-air venue used for entertainment and performances having tiers of seats arranged around a central area.

   b) “Arena” means a building or part thereof, in which the principal facilities provide for recreational activities such as curling, skating, hockey, lacrosse, broomball or other similar athletic activities, entertainment activities such as concerts, trade shows or other live performances, and which facilities may include dressing rooms, concession booths for the provision of food and refreshments, bleachers, equipment for making artificial ice and other such accessory facilities.

   c) “Art Gallery” means premises where paintings, sculptures, or other works of art are exhibited or sold.

   d) “Bake Shop” means an establishment where baked goods are made and sold to the public.

   e) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls roof and floor but shall not include a mobile home.

   f) “Business Support Services” means an establishment used to provide support services to businesses which are characterized by one or more of the following features: the use of mechanical equipment for printing, duplicating, binding or photographic processing; the provision of office maintenance or custodial services; the provision of office security; and the sale, rental, repair or servicing of office equipment, furniture and machines. Typical Uses include printing establishments, film processing establishments, janitorial firms and office equipment sales and repair establishments.

   g) “Commercial Fitness / Recreational Centre” means a commercial establishment in which indoor fitness and recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools, exercise classes and other indoor recreational facilities are provided and operated for gain or profit, but does not include an arena, stadium or place of amusement or entertainment as defined herein.

   h) “Commercial School” means a building, or part thereof, where instruction of a skill is provided for profit and may include instruction in a trade, business, art, music, dance, cooking, athletic skill or any other specialized instruction but does not include a commercial fitness/recreation centre.

i) “Community Centre” means a multi-purpose facility or part of that facility owned and operated by the City of Pickering, which offers a variety of programs and facilities of a recreational, cultural, community service, information or instructional nature.

j) “Convenience Store” means a retail store with a maximum leasable floor area of 500 square metres where articles for sale are restricted to a limited range of goods, primarily food, toiletries, housewares, stationary and other similar daily household necessities, but does not include a supermarket.

k) “Convention or Conference Centre” means a building or part of a building designed or intended to be used for such purposes as civic meetings, educational meetings, political meetings, conventions, conferences, trade shows, recreational activities or social activities and may include ancillary banquet facilities.

l) “Day Care Centre” means:

   i. indoor and outdoor premises where more than 5 children are provided with temporary care and/or guidance for a continuous period but does not provide overnight accommodation and are licensed in accordance with the applicable Provincial Act; or,

   ii. indoor and outdoor premises in which care is offered or supplied on a regular schedule to adults for a portion of a day but does not provide overnight accommodation.

m) “Dry-Cleaner's Distributing Centre” means premises used for the purpose of receiving articles or goods of fabric to be laundered or dry-cleaned elsewhere and does not include a dry cleaning establishment.

n) “Dry Cleaning Establishment” means premises in which the business of laundry or dry-cleaning is housed and where the cleaning, drying, ironing, and finishing of such goods are conducted.

o) “Entertainment Complex” means a building or part of a building, or group of buildings and facilities designed and intended to be used for a variety of entertainment purposes, such as, but not limited to, major tourist establishment, nightclub, place of amusement, performance arts centre, or waterpark/wavepool.

p) “Financial Institution” means a building, or part thereof, where money is deposited, withdrawn, kept, lent or exchanged.

q) “Floor Area” means the total area of all floors of a building within the outside walls or outside finished furred partitions of the walls, but does not include a porch, non-walk-in bay window, attic, basement, enclosed or roofed walkways or loading dock.

r) “Gaming Establishment” or “Casino” means an establishment which is used or intended to be used for gaming purposes, such as, but not limited to, the playing or operating games of chance or mixed chance and skill, on which money may be wagered, and includes, but is not limited to, arcades, casino halls, video lottery gaming and slot machine gaming, and where a license has been issued by the Ontario Lottery and Gaming Corporation.

s) “Gross Floor Area” means the aggregate of all floor areas of a building or structure above or below established grade, which floor areas are measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

t) “Gross Leasable Floor Area” means the total gross floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floors, if any, expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.

u) “Ground Floor” means the floor of a building approximately at or first above grade.

v) “Ground Floor Area” means the gross floor area only on the ground floor.

w) “Height, Building” shall mean the vertical distance between the established grade, at the front of the building, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

x) “Hotel” means a building, or group of buildings, each containing sleeping accommodation, catering primarily to the traveling public, for rent or hire for temporary lodging. Hotel may also include restaurant, public hall and ancillary services and retail uses, which are incidental and subordinate to the primary hotel function and oriented to serve the hotel patrons.

y) “Landmark Building” means a building that is distinguished and recognized due to architectural excellence, prominent use, cultural importance or its positive contribution to the City of Pickering skyline and sense of place.

z) “Loading Space” means an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial vehicle while merchandise or materials are being loaded or unloaded from such vehicles.

aa) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings as the

case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

bb) “Major Tourist Establishment” means a non-retail establishment which provides recreational, leisure, entertainment and tourist activities that is a major attraction due to its uniqueness, significant scale and appeal to visitors, but does not include any other use permitted by this by-law.

cc) “Medical Office” means premises designed and used for the diagnosis, examination, and medical, surgical or physiotherapeutic treatment of human patients, and which may include pharmacies and dispensaries which are limited to the requirements of Retail Sales, Ancillary definition, waiting rooms, treatment rooms and blood testing clinics, but shall not include overnight accommodation for in-patient care.

dd) “Nightclub” shall mean a building, or part thereof, whose primary function is the provision of theatrical performances, pre-recorded music, or live musical entertainment, whether such music is provided for listening or dancing by the patrons, or any combination of the above functions, and where food and/or beverages may be served, but does not include a restaurant.

ee) “Office” means a building or part thereof, where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration but shall not include a medical office.

ff) “Parking Area” means one or more parking spaces, including related aisles, for the parking or storage of vehicles.

gg) “Parking Garage” means a building, or part thereof, used for the parking of vehicles and may include any permitted use in the first storey, but shall not include any area where vehicles for sale or repair are kept or stored. A parking garage includes underground parking and a parking structure.

hh) “Parking Lot” means a lot or portion thereof provided for the parking of vehicles accessory or incidental to the main use.

ii) “Parking Space” means an area of land or building that is accessible by a driveway or aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one vehicle.

jj) “Personal Service Establishment” means a building, structure, or part thereof, where services are provided and administered to individual and personal needs and where retail sale of goods accessory to the service provided is permitted and include, but is not limited to, hair care, aesthetics, health and beauty treatment, dressmaking, tailoring, shoe shinning and repair, laundromat and laundry depot.

kk) “Place of Amusement” means premises which are devoted to the offering of facilities for the playing of any game for the amusement of the public, and includes a cinema or other theatre, billiard or pool rooms, bowling alleys or, electronic games.

ll) “Private Club” means a building, or part thereof, used for social, cultural, athletic or recreational activities by its members and guests or by a fraternal organization, which are not operated for profit.

mm) “Performance Arts Centre” shall mean a building or part of a building used for the rehearsal and presentation of live entertainment such as, but not limited to, music, dance or theatre.

nn) “Restaurant” means a building or part of a building where the principal business is the preparation of food for retail sale to the public for immediate consumption on or off the premises, or both on and off the premises but shall not include a night club.

oo) “Restaurant Plaza” means a complex of a minimum of three restaurants that are organized around a landscaped open space area.

pp) “Retail Sales, Ancillary” means a retail store use which is associated with, but clearly subordinate to, a Permitted Principal or Secondary Use:

i. with a maximum gross leasable area of 15 percent of the building;

ii. with a maximum gross leasable area of 500 square metres per ancillary retail sales use; and,

iii. with a direct internal access to the Permitted Principal or Secondary Use.

qq) “Retail Store” means premises in which goods and merchandise are offered or kept for retail sale or rental to the public. This definition shall not include any establishment otherwise defined in this By-law.

rr) “Slot Machine Gaming” means a gaming device, mechanically, electronically or otherwise operated or intended to be operated for gaming purposes by means of insertion of money or cards or coins equivalent to money.

ss) “Structure” means anything that is erected, built or constructed of parts joined together or any such erection fixed to or supported by the soil and/or any other structure but excludes an in-ground swimming pool.

tt) “Supermarket” means a building, or part thereof, containing a departmentalized food store, but does not include a convenience store.

uu) “Vehicle Rental Establishment” means a building, or part thereof, where new or used vehicles are offered for rent and may include the storage and

display of vehicles and may include an associated vehicle repair shop for the repair of the rental vehicles only.

vv) "Waterpark" or "Wave Pool" shall mean an indoor or outdoor premises where people may bathe, swim, or lounge within pools or tanks of water.

2. Provisions ("MTD" Zone)

a) Permitted Principal Uses ("MTD" Zone)

No person shall, within the lands zoned "MTD", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Amphitheatre
ii. Arena
iii. Convention or Conference Centre
iv. Film Studio
v. Gaming Establishment/Casino
vi. Hotel
vii. Medical Office
viii. Major Tourist Establishment
ix. Office
x. Performance Arts Centre
xi. Restaurant Plaza
xii. Stadium
xiii. Waterpark/Wave Pool

b) Permitted Secondary Uses ("MTD" Zone)

No person shall, within the lands zoned "MTD", use any lot or erect, alter or use any building or structure for any purpose except the following uses which are only permitted when a minimum of two Permitted Principal Use, as listed in Subsection 2(a) of this by-law have been constructed:

i. Art Gallery
ii. Banquet Facilities
iii. Botanical Gardens
iv. Cinema
v. Commercial Fitness / Recreation Centre
vi. Commercial Parking Lot and Commercial Parking Lot Structure
vii. Community Centre
viii. Community Gardens

ix. Curling Rinks, Tennis Courts, Bowling Alleys or similar recreational facilities

x. Financial Institution

xi. Museum

xii. Nightclub

xiii. Spa

c) Permitted Support Uses (“MTD” Zone)

No person shall, within the lands zoned “MTD”, use any lot or erect, alter or use any building or structure for any purpose except the following uses which are only permitted when integrated within a Permitted Principal Use or Permitted Secondary Use, as listed in Subsections 2(a) and 2(b) of this By-law:

i. Bake Shop

ii. Business Support Services

iii. Commercial School

iv. Day Care Centre

v. Dry-Cleaner’s Distribution Centre

vi. Personal Service Establishment

vii. Place of Amusement

viii. Private Club

ix. Retail Sales, Ancillary

x. Restaurant

xi. Travel Agent

xii. Travel Information Centre

xiii. Vehicle Rental Establishment

d) Zone Requirements (“MTD” Zone)

No person shall within the lands designated “MTD” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. Building Height (maximum): 25 storeys

e) Additional Requirements (“MTD” Zone)

i. A gaming establishment/casino use is only permitted as part of a hotel, convention or conference centre, entertainment complex.

ii. The total gross floor area of all existing or proposed Permitted Secondary Uses and Permitted Support Uses in the “MTD” Zone, as listed in Subsections 2(b) and 2(3) of this By-law shall not exceed 15

percent of the total gross floor area of all existing or proposed Permitted Principal Uses in the “MTD” Zone, as listed in Subsection 2 (a) of this By-law.

iii. The total gross floor area of all Restaurant Plazas shall not exceed 15 percent of the total gross floor area of all uses within the “MTD” Zone.

iv. Despite Clause 2(e)(ii) the total gross floor area of all existing or proposed Restaurant Plazas in the “MTD” Zone, shall be excluded from the total gross floor area of all existing or proposed Permitted Principal Uses in the “MTD” Zone, as listed in Subsection 2(a) for the purpose of calculating total gross floor area of all existing or proposed Permitted Secondary Uses and Permitted Support Uses in the “MTD” Zone, as listed in Subsections 2(b) and 2(c) of this By-law.

v. The following Permitted Support Uses shall have a maximum gross leasable area of 500 square metres per individual use:

A. Dry-Cleaner’s Distribution Centre

B. Personal Service Establishment

C. Retail Sales, Ancillary

D. Travel Information Centre

vi. Despite Clause 2(d)(i) of this By-law, landmark buildings having a maximum height of 35 storeys, may be permitted on lands zoned “MTD”.

f) Parking Requirements (“MTD” Zone)

i. The minimum parking requirements for the lands designated “MTD” attached hereto, shall be the largest cumulative total number of spaces required for all uses for a Weekday – Morning, Weekday – Noon, Weekday – Afternoon, Weekday – Evening, Saturday – Morning, Saturday – Noon, Saturday – Afternoon, or Saturday – Evening parking period, derived by applying, for each existing and proposed use, the respective parking space rate set out in Clause 2(f)(ii) of this By-law and then applying the parking space reductions where applicable for each of the different parking periods, as set out in Subclause 2(f)(ii) (A) and (B), the Occupancy Rates - Percentage of Peak Period for Weekdays and Saturday Charts.

ii. The minimum parking rates for the uses permitted in a “MTD” Zones shall be provided in accordance with the following provisions:

(i)	Amphitheatre / Arena / Cinema / Stadium / Performance Arts Centre	1.0 space per 4 fixed seats, but where permanent fixed seating is open-style bench or pew, each 0.5 metres of bench or pew space is equal to one (1) seat for the purpose of calculating required parking
(ii)	Botanical Gardens / Community Garden	1.0 spaces per 100 square metres of gross leasable floor area of building on site
(iii)	Day Care Centre / Dry-Cleaner's Distributing Centre / Business Support Services / Office / Travel Agent / Travel Information Centre / Community Centre / Vehicle Rental Establishment	3.0 spaces per 100 square metres of gross leasable floor area
(iv)	Retail Sales, Ancillary	3.5 spaces per 100 square metres of gross leasable floor area
(v)	Art Gallery / Museum / Waterpark / Wave Pool / Major Tourist Establishment	4.0 spaces per 100 square metres of gross leasable floor area; or 1.0 space per 4 capacity, whichever is greater
(vi)	Commercial School / Financial Institution / Personal Service / Spa	4.5 spaces per 100 square metres of gross leasable floor area
(vii)	Commercial Fitness/Recreation Centre / Private Club / Place of Amusement	5.0 spaces per 100 square metres of gross leasable floor area
(viii)	Restaurant / Bake Shop	6.0 spaces per 100 square metres of gross leasable floor area
(ix)	Medical Office	6.5 spaces per 100 square metres of gross leasable floor area
(x)	Banquet Facilities / Convention or Conference Centre/ Nightclub	10.0 spaces per 100 square metres of gross leasable floor area

(xi)	Curling rinks, tennis courts, bowling alleys or similar recreational facilities	4 spaces per ice sheet, court or lane or similar recreational facility provided that, where facilities for a restaurant, nightclub or assembly hall are also provided, the greater parking requirement for either the recreational facilities or for the assembly floor area shall apply
(xii)	Gaming Establishment/Casino	0.7 space per gaming position
(xiii)	Hotel	0.8 space per guest room; plus 10.0 spaces per 100 square metres non-residential gross floor area used for public use including meeting rooms, conference rooms, recreational facilities, dining and lounge areas and other commercial facilities, but excluding bedrooms, kitchens, laundry rooms, washrooms, lobbies, hallways, elevators, stairways and recreational facilities directly related to the function of the overnight accommodation
(xiv)	All other uses	4.0 spaces per 100 square metres of gross leasable floor area
(xv)	Film Studio	0.7 spaces per 100 square metres of gross leasable floor area

iii. Shared Parking Permitted Reductions Calculation:

A. Occupancy Rate - Percentage of Peak Period (Weekday)

A		B	C	D	E
	Type of Use	Occupancy Rate - Percentage of Peak Period (Weekday)			
		Morning	Noon	Afternoon	Evening
	Gaming Establishment/Casino	70	70	70	100
	Office/Medical Office/Financial Institution	100	90	95	10
	Banquet Facilities / Convention or Conference Centre	90	90	90	100

A		B	C	D	E
	Performance Arts Centre / Arena	10	10	70	100
	Retail Store/Personal Service Establishment	80	90	90	90
	Restaurant	20	100	30	100
	Hotel	70	70	70	100

B. Occupancy Rate - Percentage of Peak Period (Saturday)

A		B	C	D	E
	Type of Use	Occupancy Rate - Percentage of Peak Period (Saturday)			
		Morning	Noon	Afternoon	Evening
	Gaming Establishment/Casino	70	80	100	100
	Office/Medical Office/Financial Institution	10	10	10	10
	Banquet Facilities / Convention or Conference Centre	90	90	100	100
	Performance Arts Centre / Arena	10	70	90	100
	Retail Store/Personal Service Establishment	80	100	100	70
	Restaurant	20	100	50	100
	Hotel	70	70	70	100

iv. Special Parking Requirements:

Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By-law 2511, as amended, shall not apply to lands designated “MTD”.

3. Provisions (“UR” Zone)

a) Uses Permitted ("UR" Zone)

No person shall within the lands designated "UR" use any lot or alter or use any building or structure for any purpose except for the following:

i. outdoor recreation uses without buildings or structures;

ii. preservation and conservation of the natural environment, soil and wildlife; or

iii. existing lawful uses, located on the land or in existing buildings or structures, provided such use continue in the same manner and for the same purpose for which they were used on January 19, 2015.

4. Provisions (“MTD (H3)” Zone)

a) Uses Permitted (“MTD (H3)” Zone)

Until such time as the “(H3)” Holding Provision is lifted, the lands may be used for any purpose permitted by the “MTD” zone of this by-law, provided the traffic generation rate of the existing and proposed uses does not exceed 1935 external primary weekday P.M. peak hour two-way vehicle trips calculated as per Figure 1 and as validated within a Transportation Impact Study prepared to the satisfaction of the City of Pickering, the Region of Durham and the Province of Ontario.

b) Zone Requirements (“MTD (H3)” Zone)

The “H3” Holding Symbol shall not be removed from the lands designated “MTD”, until such time as:

i. Appropriate arrangements and/or site plan agreements and/or development plan agreements have been made between the Owner of the lands and the City of Pickering, to the satisfaction of the City of Pickering, that all the requirements for the development in the Major Tourist Destination zone have been complied with, including but not limited to, compliance with the Master Development Agreement, including all financial matters;

ii. Appropriate arrangements and/or agreements have been made between the Owner of the lands and the Region of Durham, prepared the satisfaction of the Region of Durham, for the provision of sanitary, water and Regional transportation, environmental and engineering requirements, including all financial matters; and;

iii. Appropriate arrangements and/or agreements have been made between the Owner of the lands and the relevant agency having jurisdiction, to the satisfaction of the relevant agencies (being the City of Pickering, the Region of Durham and/or the Province of Ontario), for the construction of a new partial interchange on Highway 401 at Church Street, including all financial and Environmental Assessment matters.

5. Figure 1

For the purpose of this By-law, the amount of different land uses permitted on the lands zoned Major Tourist Development (MTD) for the lifting of the "(H)" – Holding provisions, is based on a calculation to establish the external primary weekday PM peak hour 2-way vehicle trips. This calculation is based on the type and amount of the different permitted land uses, then calculated using various traffic factors.

Table A, Table B and Table C attached hereto are part of Figure 1 to this By-law.

The following are the Column identifications from Table A:

Column A	Permitted Land Use from the MTD Zone	
Column B	Independent Variable	
Column C	Land Use Intensity	
Column D	2-way Trip Generation Rate	
Column E	G2TV	Gross 2-Way PM Peak Hour Traffic Volumes
Column F	Inbound %	Inbound Percent
Column G	G2TV - I	Gross 2-Way PM Peak Hour Traffic Volumes - Inbound
Column H	Outbound %	Outbound Percent
Column I	G2TV - O	Gross 2-Way PM Peak Hour Traffic Volumes - Outbound
Column J	TDMR%	Traffic Demand Management Reduction Percent
Column K	TDMRA	Traffic Demand Management Reduction Allowance Total
Column L	TDMRA - I	Traffic Demand Management Reduction Allowance - Inbound
Column M	TDMRA - O	Traffic Demand Management Reduction Allowance - Outbound
Column N	TUR %	Transit Use Reduction Percent
Column O	TURA	Transit Use Reduction Allowance Total
Column P	TURA - I	Transit Use Reduction Allowance - Inbound
Column Q	TURA - O	Transit Use Reduction Allowance - Outbound
Column R	NE2TV	Net External 2-way Traffic Volumes
Column S	A2TV	Adjusted 2-Way Traffic Volumes Total
Column T	A2TV - I	Adjusted 2-Way Traffic Volumes - Inbound
Column U	A2TV - O	Adjusted 2-Way Traffic Volumes - Outbound
Column V	TWITV	Two-Way Internal Traffic Volumes
Column W	Pass-By %	Pass – By Percent
Column X	PBV	Pass – By Volumes
Column Y	TTG	Total External Primary PM Peak Hour 2-Way Traffic Volumes

The process to calculate the External Primary Weekday PM Peak Hour 2-Way Traffic Volumes is listed below and is to be followed for each proposed lands use, and then the sum of these totals represents the External Primary Weekday PM Peak Hour 2-Way Traffic Volume for that amount of development in the "MTD" zone.

Step 1:

Gross 2-Way PM Peak Hour Traffic Volumes (G2TV) is calculated by:

a) Find appropriate Permitted Use in Column A in Table A.

b) From the development proposal determine the independent variable from Column B.

c) Calculate the corresponding land use intensity and note in Column C.

d) Multiply Column C by Column D to determine the G2TV (write down in Column E).

e) Multiply Column E being the G2TV by Column F (Inbound %) = G2TV Inbound (write down G2TV inbound in Column G).

f) Multiply Column E being the G2TV by Column H (Outbound %) = G2TV Outbound (write down G2TV outbound in Column I).

Step 2:

Traffic Demand Management Allowance Total (TDMRA) is calculated by:

a) Multiply the G2TV (Column E) by Column J (TDM Reduction %).

b) Equals = TDMRA (write down TDMRA in Column K).

c) Multiply TDMRA (Column K) by Column F (Inbound %) = TDMRA Inbound (write down TDMRA-I in Column L).

d) Multiply TDMRA (Column K) by Column H (Outbound %) = TDMRA - Outbound (write down TDMRA-O Column M).

Step 3:

Transit Use Reduction Allowance (TURA) is calculated by:

a) Multiply G2TV (Column E) by Column N (Transit Use Reduction %).

b) Equals = TURA (write down TURA in Column O).

c) Multiply TURA (Column O) by Column F (Inbound %) = TURA-Inbound (write down TURA-I in Column P).

d) Multiply TURA (Column O) by Column H (Outbound %) = TURA Outbound (write down TURA-O in Column Q).

Step 4:

Net External 2-way Traffic Volumes (NE2TV) is calculated by:

a) G2TV (Column E) minus TURA (Column O) minus TDMRA (Column K).

b) Equals = A2TV (write down in Column S).

c) A2TV minus TWITV (TWITV will be calculated in the next Step 5 calculations).

d) Equals = NE2TV (write down in Column R).

Adjusted 2-Way Traffic Volumes (A2TV) Inbound is calculated by:

a) G2TV Inbound (Column G) minus TURA-I (Column P) minus TDMRA-I (Column L).

b) Equals = A2TV-I, (write down in Column T).

Adjusted 2-Way Traffic Volume (A2TV) Outbound is calculated by:

a) G2TV-O (Column I) minus TURA-O (Column Q) minus TDMRA-O (Column M).

b) Equals = A2TV-O, (write down in Column U).

Step 5:

Two-Way Internal Traffic Volumes (TWITV) is calculated by:

a) Use Table B and Table C. Table B is for internal inbound calculations. Table C is for internal outbound calculations.

b) Utilize A2TV-I (Column T) values per land use with Table B.

c) Utilize A2TV-O (Column U) values per land use with Table C.

d) Create a matrix for the proposed land use pairings by multiplying the percentages found in Table B by A2TV-I (Column T) values.

e) Create a second matrix for the same proposed land use pairings by multiplying the percentages found in Table C by A2TV-O (Column U) values.

f) Create a third matrix by comparing matrices for Inbound and Outbound internal trips, and select the lower of the corresponding values for the appropriate land use pairings.

g) Sum together the Inbound (i.e., volumes within rows) and Outbound (i.e., volumes within columns) for each land use.

h) Equals = TWITV for each land use, write down in Column V.

i) Calculate NE2TV (Column R): A2TV (Column S) minus TWITV (Column V) for each land use and (write down NE2TV in Column R).

Step 6:

Pass – By Volumes (PBV) calculated by:

a) Take NE2TV (Column R) and multiply by PB% (Column W) and write in Column X.

Step 7:

Total External Primary PM Peak Hour 2-Way Traffic Volumes (TTG) is calculated:

a) Take PBV (Column X) and subtract it from NE2TV (Column R) for each land use.

b) Write down in Column Y the Total External Primary PM Peak Hour 2-Way Traffic Volumes (TTG).

Step 8:

a) Total all the TTG for the land uses with the existing and proposed development and record in the bottom Total Box. Compare the total box with the development threshold limit contained in the “(H)” – Holding provisions of the By-law.

Table A of Schedule II of By-law 7404/15

Traffic Generation Rates for Major Tourist Destination Uses

Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M	Column N	Column O	Column P	Column Q	Column R	Column S	Column T	Column U	Column V	Column W	Column X	Column Y
Permitted Use	**Independent Variable**	**Land Use Intensity**	**2-way Trip Generation Rate**	**P.M. Peak Hour Trip Rate**				**TDM**																
				G2TV	Inbound %	G2TV-I	Outbound %	G2TV-O	Reduction %	TDMRA	TDMRA-I	TDMRA-O	Transit Use Reduction %	TURA	TURA-I	TURA-O	NE2TV	A2TV	A2TV-I	A2TV-O	TWITA	Pass-by %	PBV	TTG
Amphitheatre	per Seats		0.14	86%			14%		0%				0%									0%		
Arena	per seats		0.02	67%			33%		0%				0%									0%		
Art Gallery	per 100 Square metres - GFA		6.68	46%			54%		0%				0%									25%		
Bake Shop	per 100 Square metres - GFA		30.14	50%			50%		0%				0%									10%		
Banquet Facilities	per # of parking spaces		0.36	89%			11%		0%				0%									0%		
Botanical Gardens	per Hectares			61%			39%		10%				10%									0%		
Business Support Services	per 100 Square metres - GFA		T = 1.12 (1.076X) + 78.45	53%			47%		10%				10%									0%		
Casino	per # of Slots		49.69	53%			47%		0%				15%									0%		
Commercial Fitness/Recreation Centre	per 100 Square metres - GFA		2.66	49%			51%		0%				0%									0%		
Commercial Parking Lot and Structure			Trip Gen based upon land use generating demand for Parking																					
Commercial School	per # of Students		Ln(T) = 0.84 Ln(X) + 1.32	63%			37%		10%				10%									0%		
Community Gardens	per Hectares		8.65	57%			43%		0%				0%									0%		
Convention or Conference Halls	per 100 Square metres - GFA		1.24	13%			87%		0%				0%									0%		
Curling Rinks, Tennis Courts, Bowling Alleys ect.	per # of lanes, rinks, courts etc.		1.51	61%			39%		0%				0%									0%		
Day Care Centre	per 100 Square metres - GFA		13.28	47%			53%		0%				0%									50%		
Dry-Cleaner's Distribution Centre	per 100 Square metres - GFA		7.98	44%			56%		0%				0%									50%		
Film Studio	per 100 Square metres - GFA		0.88	55%			45%		0%				0%									50%		
Financial Institution	per 100 Square metres - GFA		13.06	44%			56%		0%				0%									25%		
Gaming Establishment/Casino	per # of Gaming positions		0.83	48%			52%		0%				0%									0%		
Hotel	per # of Rooms		0.61	58%			42%		0%				10%									0%		
Major Tourist Establishment	per parking space		0.84	50%			50%		0%				0%									5%		
Medical Office	per 100 Square metres - GFA		Ln(T) = 0.90 Ln(1.076X) + 1.53	28%			72%		10%				10%									0%		
Museum	per 100 Square metres - GFA		0.19	16%			84%		0%				0%									0%		
Nightclub	per 100 Square metres - GFA		12.21	66%			34%		0%				0%									10%		
Office	per 100 Square metres - GFA		T = 1.12 (1.076X) + 78.45	17%			83%		10%				10%									0%		
Performance Arts Centre/Theatre	per # of Seats		0.14	86%			14%		0%				0%									0%		
Personal Service Establishment	per 100 Square metres - GFA		1.66	17%			83%		0%				0%									25%		
Place of Amusement	per Hectares		9.76	61%			39%		0%				0%									5%		
Private Club	per parking space		0.40	85%			15%		0%				0%									0%		
Restaurant	per 100 Square metres - GFA		Ln(T) = 0.67 Ln(1.076X) + 3.31	63%			37%		0%				0%									10%		
Retail Sales, Ancillary	per 100 Square metres - GFA		Ln(T) = 0.67 Ln(1.076X) + 3.31	48%			52%		0%				0%									25%		
Stadium	per 100 Square metres - GFA		Ln(T) = 0.96 Ln(1.076X) + 1.43	57%			43%		0%				10%									0%		
Theatre	per # of Seats		0.02	67%			33%		0%				0%									0%		
Travel Agent		100% Internalized Trip Making Use																						
Travel Information Centre		100% Internalized Trip Making Use																						
Vehicle Rental Establishment	per 100 Square metres - GFA		T = 1.91 (1.076X) + 23.74	40%			60%		0%				0%									0%		
Waterpark/Wave Pool	per 100 Square metres - GFA		2.19	48%			52%		0%				0%									0%		
[ota]																								

Notes:
T = Number of two-way automobile trips
X = Independent variable (e.g. floor area in 100 square metres, number of seats, etc.)
Ln = Natural logarithm

Table B of Schedule II of By-law 7404/15

Internal PM Peak Hour Inbound Trip Percentages

Outbound (i.e., fromHotel, Casino, Cinema etc.)

Inbound (i.e., to Hotel, Casino, Cinema etc.)	Casino, Place of Amusement, Major Tourist Establishment	Cinema	Office, Comm. School, Medical Office, Travel Agent, Travel Info Centre	Convention Centre, Museum	Hotel, Spa	Performance Arts Centre, Amphitheatre, Arena, Stadium	Restaurant Complex, Restaurant, Nightclub, Bake Shop	Waterpark/Wave Pool, Botanical Gardens, Community Gardens	Dry Cleaner's Dist'n Centre, Day Care	Retail Sales, Ancillary, Art Gallery, Financial Institution, Personal Service Establishment	Total
Casino, Place of Amusement, Major Tourist Establishment		5%	5%	15%	15%		10%		5%		
Cinema	5%				5%		10%				
Office, Comm. School, Medical Office, Travel Agent, Travel Info Centre							5%		5%	5%	
Convention Centre, Museum	20%				20%		20%				
Hotel, Spa	25%	5%		25%			10%	10%	5%		
Performance Arts Centre, Amphitheatre, Arena, Stadium	10%						30%				
Restaurant Complex, Restaurant, Nightclub, Bake Shop	20%	5%	10%	15%	5%			5%			
Waterpark/Wave Pool, Botanical Gardens, Community Gardens					30%		25%				
Dry Cleaner's Dist'n Centre, Day Care	20%		20%		10%						
Retail Sales, Ancillary, Art Gallery, Financial Institution, Personal Service Establishment			20%							20%	

Table C of Schedule II of By-law 7404/15

Internal PM Peak Hour Outbound Trip Percentages

Inbound (i.e., to Hotel, Casino, Cinema etc.)

Outbound (i.e., from Hotel, Casino, Cinema, etc.)

	Casino, Place of Amusement, Commercial Major Establishment	Cinema	Office, Comm. School, Medical Office, Travel Agent, Travel Info Centre	Convention Centre, Museum	Hotel, Spa	Performance Arts Centre, Amphitheatre, Arena, Stadium	Restaurant Complex, Restaurant, Nightclub, Bake Shop	Waterpark/Wave Pool, Botanical Gardens, Community Gardens	Dry Cleaner's Dist'n Centre, Day Care	Retail Sales, Ancillary, Art Gallery, Financial Institution, Personal Service Establishment	Total
Casino, Place of Amusement, Major Tourist Establishment		10%		10%	10%	5%	30%		20%		
Cinema	20%				5%		10%				
Office, Comm. School, Medical Office, Travel Agent, Travel Info Centre	5%						10%		20%	10%	
Convention Centre, Museum	20%				10%		30%				
Hotel, Spa	25%	5%		5%			45%	10%	10%		
Performance Arts Centre, Amphitheatre, Arena, Stadium											
Restaurant Complex, Restaurant, Nightclub, Bake Shop	40%	5%		10%	10%	30%					
Waterpark/Wave Pool, Botanical Gardens, Community Gardens					30%		20%				
Dry Cleaner's Dist'n Centre, Day Care	5%		5%		5%						
Retail Sales, Ancillary, Art Gallery, Financial Institution, Personal Service Establishment							10%			20%	

15.71 Exception Zone 71 (By-law 789-78, as amended by By-law 893-78)

1. Definitions

   a) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a public or private agency, a business, a brokerage, or a labour or fraternal organization, and includes an office accessory to a permitted use, a telegraph office, a bank, a data processing establishment, a newspaper publishing plant and a radio or television broadcasting station and related studios or theatres, but shall not include a medical or other professional office, a clinic, a retail store or any other use as defined herein.

   b) "Food Preparation Plant" shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets.

   c) "Manufacturing Plant" shall mean a building or structure or part thereof in which is carried on any activity or operation pertaining to the making of any article or part of an article, which shall include:

      i. altering,
      ii. assembling,
      iii. repairing,
      iv. ornamenting,
      v. finishing,
      vi. cleaning,
      vii. polishing,
      viii. washing,
      ix. packing,
      x. adapting for sale,
      xi. breaking up,
      xii. or demolishing

      the said article.

   d) "Light Manufacturing Plant" shall mean a manufacturing plant used for:

      i. the dry cleaning, pressing or laundering of garments;
      ii. the production of apparel and finished textile products other than the production of synthetic fibres;
      iii. printing or duplicating;

iv. the manufacture of finished paper and allied products other than the processing of wood pulp;

v. the production of cosmetics, drugs and other pharmaceutical supplies; or

vi. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components.

e) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use.

2. Permitted Uses

No person shall within any "M1-1" Zone use any lot or erect, alter or use any building or structure for any purpose except one or more of the following "M1-1" uses, namely:

a) Residential Uses:

i. Accessory Dwelling Units

b) Non-Residential Uses:

i. business offices;

ii. food preparation plants;

iii. light manufacturing plants;

iv. public uses;

v. scientific or medical laboratories;

vi. warehouses.

3. Zone Requirements

No person shall within any M1-1 Zone use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

a) LOT AREA

(Minimum) - 0.4 of a hectare

b) LOT FRONTAGE

(Minimum) - no minimum

c) FRONT YARD DEPTH

(Minimum) - 12 metres except that where the front lot line abuts a street on the opposite side of which is located a Residential Zone the minimum front yard depth shall be 30.5 metres

d) SIDE YARD WIDTH (Minimum)

i. Interior Side Yard - 4.5 metres except that where the interior side lot line abuts a Residential Zone the minimum interior side yard width shall be 12 metres

ii. Flankage Side Yard - 12 metres, except that where the flankage side lot line abuts a street on the opposite side of which is located a Residential Zone the minimum flankage side yard width shall be 22.5 metres.

e) REAR YARD DEPTH

(Minimum) 7.5 metres; except that:

i. where the rear lot line abuts a railway, no rear yard shall be required, and

ii. where the rear lot line abuts a Residential Zone or abuts a railway on the opposite side of which is located a Residential Zone, the minimum rear yard depth shall be 12 metres.

f) LOT COVERAGE

(Maximum) 50 percent, except that where building height exceeds 12 metres the maximum lot coverage shall be 33 per cent.

g) BUILDING HEIGHT

(Maximum) 20 metres, except that where lot coverage exceeds 33 percent the maximum building height shall be 12 metres.

h) OPEN STORAGE

No open storage shall be located in any yard.

i) ACCESSORY DWELLING UNITS PER LOT:

(Maximum) 1 only, except that no lot in any M1-1 Zone shall be used for an accessory dwelling unit unless such lot is served by a public water system and a sanitary sewer system.

j) DWELLING UNIT AREA

(Minimum) 55.5 square metres plus an additional 1.5 square metres for each bedroom.

k) LANDSCAPED OPEN AREA

i. Any part of a lot which is not occupied by buildings, structures, parking areas, loading spaces or driveways shall be maintained as landscaped open area.

ii. Not less than 50% of any required front yard shall consist of landscaped open area.

l) SPECIAL RESTRICTIONS

No loading spaces or electric transformers shall be located in any front yard.

m) BUILDING DESIGN REQUIREMENTS

Every building erected in an M1-1 Zone shall be designed by a registered architect or a registered professional engineer.

n) NOXIOUS USES

No use shall be permitted in any M1-1 Zone which, from its nature or the materials used therein, is declared to be a noxious trade, business or manufacture under the Public Health Act as amended from time to time or any regulations thereunder.

4. The provisions of section 21 of By-law 2511, as amended, shall apply to those lands designated G.

15.72 Exception Zone 72 (By-law 6514-05, as amended by By-law 6536-05 and By-law 6744-07)

1. Definitions

   a) "Body Rub Parlour" includes any premises or part thereof where a body rub is preformed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are preformed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   b) "Body Rub" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   c) “Place of Religious Assembly” shall mean lands or premises where people assemble for worship, counseling, educational, contemplative or other purpose of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof;

2. Provisions

   In addition to the provisions of Section 17.1 of By-law 2511, the lands designated "M2" may be used for the purpose of a Body Rub Parlour in accordance with Section 17.2 provided that the following requirements are met:

   a) No more than one Body Rub Parlour shall be permitted and the aggregate gross leasable floor area of the Body Rub Parlour shall not exceed 310 square metres;

   b) A Body Rub Parlour shall be permitted to operate in only Unit 3 and/or Unit 4, within Durham Condominium Corporation 105;

   c) While a Body Rub Parlour use exists within Units 3 and 4, there shall be lease agreements or other arrangements satisfactory to the City securing 9 parking spaces dedicated exclusively for such use on the lands subject to this by-law or off such lands but in close proximity to Units 3 and 4; and

   d) Within a Body Rub Parlour, a maximum of 7 rooms shall be used for body rub services.

3. Provisions for a Place of Religious Assembly

   In addition to the provision of Subsection 17.1 of By-law 2511, a Place of Religious Assembly is permitted on lands known as Part of Lot 19, B.F.C.

Range 3 (Durham Condominium Plan 105), in the City of Pickering, provided that the following requirements are met:

a) The gross leasable floor area of all Places of Religious Assembly shall not exceed 170 square metres;

15.73 Exception Zone 73 (By-law 5949-02)

1. DEFINITIONS

a) "Business Office" shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

b) "Dry Cleaning Establishment" shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

c) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or branch thereof;

d) "Floor Area" shall mean the aggregate of the floor areas of all storeys above or below grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes;

e) "Food Preparation Plant" shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

f) "Gross Leasable Floor Area" shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

g) "Light Manufacturing Plant" shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the

case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) "Manufacturing Plant" shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

l) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

m) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to time, or any successor thereto;

n) "Sales Outlet" shall mean a building or part of a building accessory to a food preparation plant, light manufacturing plant, merchandise service shop, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

o) "Scientific, Medical or Research Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

p) "Vehicle Service and Repair Shop" shall mean an establishment containing facilities for the service and repair of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair

operations are performed, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

q) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

r) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

s) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

t) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

u) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

w) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

x) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

y) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

z) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

aa) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

bb) “Waste” shall mean material which is not hazardous and not needed by the generator of that material, that is destined for either final disposal or for reprocessing to create a useable product or material, but does not include a by-product of a manufacturing process that is used, unaltered, in another manufacturing process;

cc) “Waste, Hazardous” shall mean any substance or material that, by reason of its toxic, caustic, corrosive or otherwise injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance;

dd) “Waste Processing Station” shall mean a facility within an enclosed building whose primary purpose is the sorting and processing of waste to create a new product or raw material on site; and,

ee) “Waste Transfer Station” shall mean a facility within an enclosed building whose primary purpose is the collection and storage of waste or hazardous waste for shipment, and which may include limited sorting or preparation of that waste to facilitate its shipment for final disposal or to a waste processing station, but does not include salvage yards or scrap metal yards.

2. Provisions

a) Uses Permitted ("MC-16" Zones)

No person shall within the lands designated "MC-16", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. business office;
ii. dry cleaning establishment;
iii. food preparation plant;
iv. light manufacturing plant;
v. merchandise service shop;
vi. professional office;
vii. sales outlet;
viii. scientific, medical or research laboratory;
ix. vehicle service and repair shop;
x. warehouse;
xi. waste processing station; and,
xii. waste transfer station.

b) Zone Requirements ("MC-16" Zone)

No person shall within the lands designated "MC-16", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 hectares

ii. LOT FRONTAGE (minimum): 45 metres

iii. FRONT YARD DEPTH (minimum): 12 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 12 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 45 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. OUTDOOR STORAGE:

Outdoor storage shall be permitted in any yard except the front yard so long as the area use for outdoor storage purposes does not exceed 30 percent of the area of the lot.

x. PARKING REQUIREMENTS:

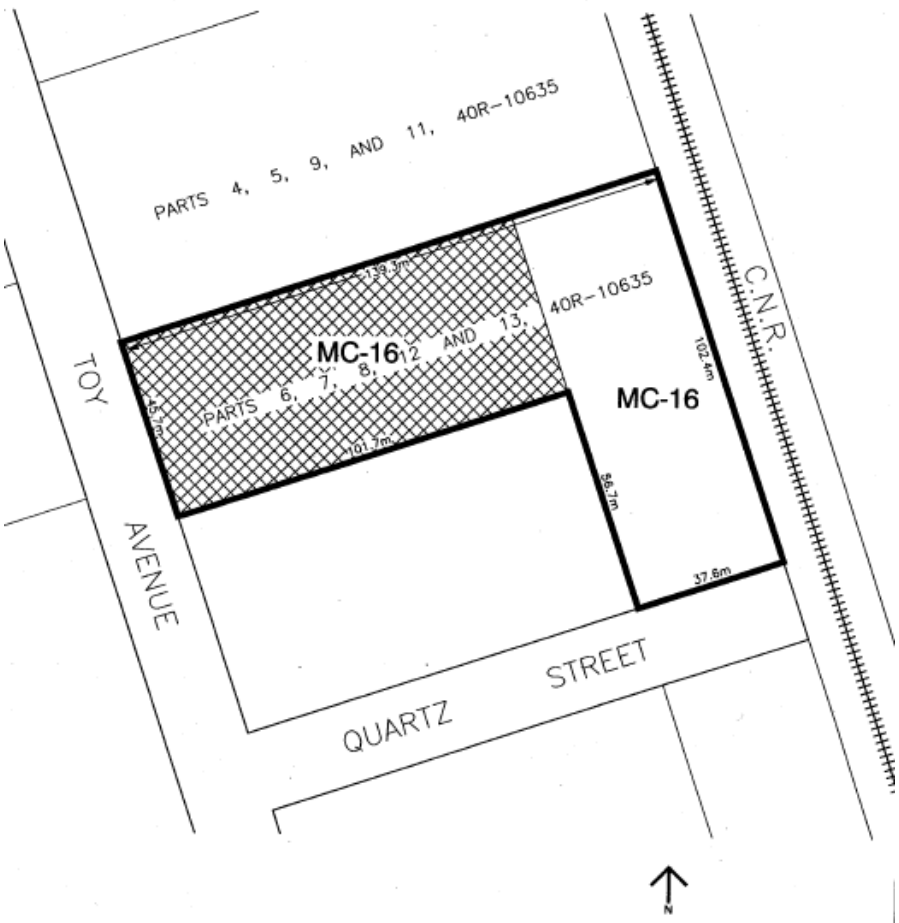
Section 5.21.2 (b) of By-law 2511 as amended shall not apply to the lands designated "MC-16".

xi. SPECIAL REGULATIONS:

A. A sales outlet shall be permitted only if accessory to a food preparation plant, a light manufacturing plant, a merchandise service shop, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 20% of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, or warehouse;

B. A vehicle service and repair shop shall be permitted only in the area hatched on Figure 1 attached to this By-law.

3. Figure 1



SCHEDULE I TO BY-LAW 5949/02
PASSED THIS 4
DAY OF February 2002

MAYOR

CLERK

15.74 Exception Zone 74 (By-law 5971-02)

1. Definitions

a) “Automobile Service Station – Type F” shall mean an establishment where vehicle fuels, lubricants, and automobile-related accessories are offered for retail sale, and which also may include one mechanical and / or one manual car wash and limited convenience retail sales, but shall not include facilities for the repair and maintenance of vehicles, or facilities for the repairing or painting of vehicle bodies;

b) “Build-to-Zone” shall mean an area of land within which all or part of a building or buildings are to be located;

c) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

d) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

e) “Lot Area” shall mean the total horizontal area within the lot lines of a lot;

f) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distance from the front lot line;

g) “Manual Car Wash” shall mean an establishment where self service facilities are provided for the washing and cleaning of vehicles by hand labour methods using sprayers, vacuums and other similar devices;

h) “Mechanical Car Wash” shall mean an establishment where facilities are provided for the washing and cleaning of vehicles using production line methods employing mechanical devices wholly enclosed within a building;

i) “Restaurant - Type F” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises, and which may include a drive-through order and pick-up service;

j) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

k) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

l) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

m) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines;

o) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

p) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

q) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

r) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

s) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“CA(F)-1” Zone)

No person shall within the lands designated “CA(F)-1” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. automobile service station –Type F

ii. restaurant - Type F

b) Zone Requirements (“CA(F)-1” Zone)

No person shall within the lands designated “CA(F)-1” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.4 hectares

ii. LOT FRONTAGE (minimum): 55.0 metres

iii. BUILDING RESTRICTIONS:

A. Building Location and Setbacks:

1) Buildings and structures shall comply with the minimum setbacks illustrated on Figure 1 attached hereto;

2) A minimum of 40% of the length of the build-to-zones, as illustrated on Figure 1 attached hereto, shall contain a building or buildings, or part of a building or buildings;

3) Despite paragraph (1) above, a manual car wash facility shall only be permitted on the lands diagonally hatched on Figure 1 attached hereto;

4) Despite paragraph (1) above, a mechanical car wash facility shall be located a minimum of 6.0 metres from Bayly Street;

B. Building Height:

1) maximum of 12.0 metres;

2) minimum of 5.0 metres in any build-to-zone;

3) Despite (2) above, the minimum building height for a mechanical car wash facility shall be 6.0 metres;

iv. PARKING REQUIREMENTS:

A. There shall be provided and maintained on the lands designated "CA(F) 1", a minimum of:

1) 8.0 parking spaces per 93 square metres of gross leasable floor area provided for all restaurants - Type F;

2) 10 parking spaces for any automobile service station – Type F;

B. Clauses 5.21.2a) to 5.21.2e), inclusive, of By-law 2511, as amended, shall not apply to the lands designated "CA(F)-1";

C. Notwithstanding clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

v. SPECIAL REGULATIONS:

A. The aggregate of the gross leasable floor area of all restaurants - Type F shall not exceed 300 square metres;

B. The maximum gross leasable floor area of any kiosk associated with the automobile service station - Type F shall not exceed 190 square metres;

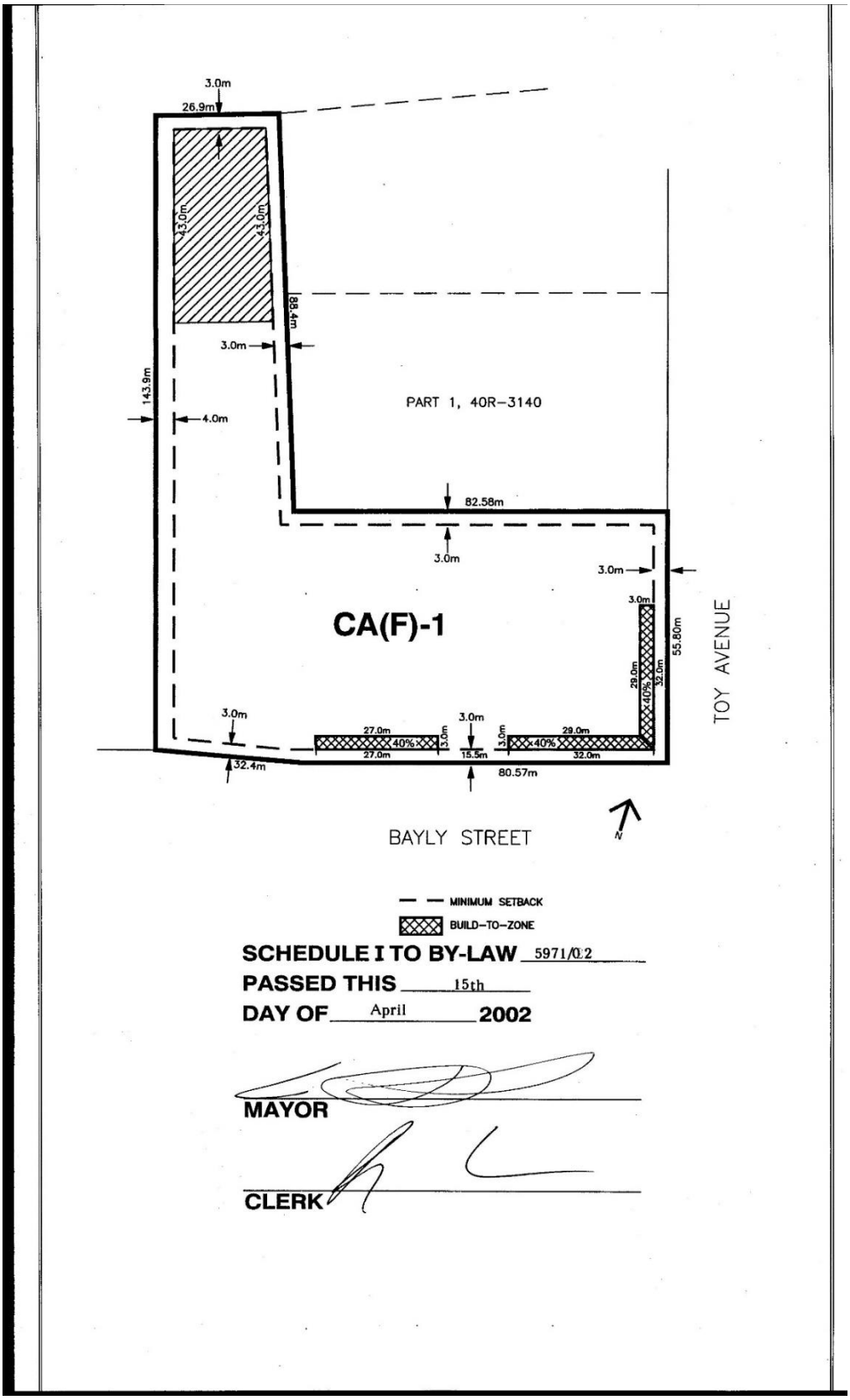
C. A maximum of one automobile service station - Type F shall be permitted on the lands designated "CA(F)-1";

D. All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display;

E. Despite section 2(b)(v)(D) above, a maximum area of 10.0 square metres may be used for the outdoor storage or display of limited convenience items accessory to an automobile service station - Type F;

F. Despite section 5.19(a) (provisions for accessory structure location) of By-law 2511, as amended, and section 2(b)(iii)(A)(1) of this By-law, one garbage enclosure not exceeding 15.0 square metres in size may be located in the interior side yard a minimum of 0 metres from that property line;

3. Figure 1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TOY AVENUE
3.0m
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29.0m
40%
32.0m
32.4m
80.57m
BAYLY STREET
N
MINIMUM SETBACK
BUILD-TO-ZONE
SCHEDULE I TO BY-LAW 5971/02
PASSED THIS 15th
DAY OF April 2002
MAYOR
CLERK

15.75 Exception Zone 75 (By-law 6070-02, as amended by By-law 6140-03)

1. Definitions

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing or designed to appeal to erotic or sexual appetites or inclinations;

b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

c) “Banquet Facility” shall mean a building or part of a building used for the purposes of catering to banquets, weddings, receptions, or similar functions for which food and beverages are prepared and served on the premises but shall not include a restaurant;

d) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

e) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

f) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

g) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;

h) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

i) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

j) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to such processes;

k) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

l) “Exhibition Hall” shall mean a building or part of a building where the temporary exhibition of music, art, goods, wares, and the like are displayed and made available for sale and which may include a flea market use;

m) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

n) “Flea Market” shall mean a building or part of a building in which stalls or sales areas are set aside and rented or otherwise provided where groups of individual sellers offer goods, new and used, for sale to the public;

o) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

p) “Gross Leasable Floor Area” shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

q) “Light Machinery and Equipment Supplier” shall mean a building or part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesaler retail sale to industrial or commercial establishments;

r) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plastic ware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

s) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the

case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

t) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

u) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

v) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

w) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

x) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;

y) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

z) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, or an adult entertainment parlour as defined herein;

aa) “Place of Assembly” shall mean a building or part of building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

bb) “Place of Worship” shall mean a building or part of building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care centre, or nursery school;

cc) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

dd) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to time, or any successor thereto;

ee) “Restaurant – Type F” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises, and which may include a drive through, order and pick-up service;

ff) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

gg) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

hh) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

ii) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;

jj) “Vehicle Sales or Rental Establishment” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

kk) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

ll) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;

mm) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

nn) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

oo) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

pp) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

qq) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

rr) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

ss) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

tt) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

uu) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

vv) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“MC-17” Zones)

No person shall within the lands designated “MC-17”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;
ii. banquet facility;
iii. business office;
iv. club;
v. commercial club;
vi. commercial-recreational establishment;
vii. commercial school;
viii. convenience store;
ix. dry cleaning depot;
x. dry cleaning establishment;
xi. exhibition hall;
xii. financial institution;
xiii. food preparation plant;
xiv. light machinery and equipment supplier;
xv. light manufacturing plant;
xvi. merchandise service shop;
xvii. office-associated commercial establishment;
xviii. personal service shop;
xix. place of amusement or entertainment;
xx. place of assembly;
xxi. place of worship;
xxii. printing establishment;
xxiii. professional office;
xxiv. restaurant – Type F;
xxv. sales outlet;

xxvi. scientific, medical or research laboratory;

xxvii. vehicle repair shop;

xxviii. vehicle sales or rental establishment;

xxix. warehouse;

b) Zone Requirements (“MC-17” Zone)

No person shall within the lands designated “MC-17”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING LOCATION AND SETBACKS (minimums):

A. from Bayly Street and Squires Beach Road 7.5 metres;

B. from the railway right-of-way 15.0 metres;

C. from all other lot lines 3.0 metres;

D. from the “OS-HL” Zone boundary 5.0 metres;

ii. BUILDING HEIGHT (maximum): 12.0 metres;

iii. OPEN STORAGE:

All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.

iv. PARKING REQUIREMENTS:

A. There shall be provided and maintained on the lot a minimum of 10.0 parking spaces for each 100 square metres or part thereof gross leasable floor area of the exhibition hall;

B. There shall be provided and maintained on the lot a minimum of 1.0 parking space for each 56 square metres or part thereof gross floor area of all industrial uses;

C. There shall be provided and maintained on the lot a minimum of 5.5 parking spaces for each 100 square metres of gross leasable floor area for all other uses;

D. Sections 5.21.2(a) and 5.21.2(b) of By-law 2511 as amended shall not apply to the lands designated “MC-17”;

E. Notwithstanding section 5.21.2(g) of By-law 2511, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

v. SPECIAL REGULATIONS:

A. A sales outlet shall be permitted only if accessory to a bakery, a food preparation plant, a light manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the bakery, food preparation plant,

light manufacturing plant, merchandise service shop, printing establishment, or warehouse;

B. Notwithstanding Clause A above, a sales outlet may exceed 25% of the gross leasable floor area up to a maximum of 40% of the gross leasable floor area of the bakery, food preparation plant, light manufacturing plant, merchandise service shop, printing establishment, or warehouse, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area that buildings;

C. The maximum aggregate gross leasable floor area shall be:

1) for all convenience stores on the lot: 325 square metres;

2) for all office-associated commercial establishments on the lot: 325 square metres;

3) for all personal services shops on the lot: 325 square metres;

4) for all restaurants – Type F on the lot: 1,300 square metres;

D. The maximum aggregate gross leasable floor area for all exhibition halls shall be 12,750 square metres;

E. office-associated commercial establishment and convenience store uses shall be permitted only on the lands diagonally-hatched on Figure 1 attached hereto;

F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated “MC-17”.

c) Uses Permitted (“OS-HL” Zone)

No person shall within the lands designated “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

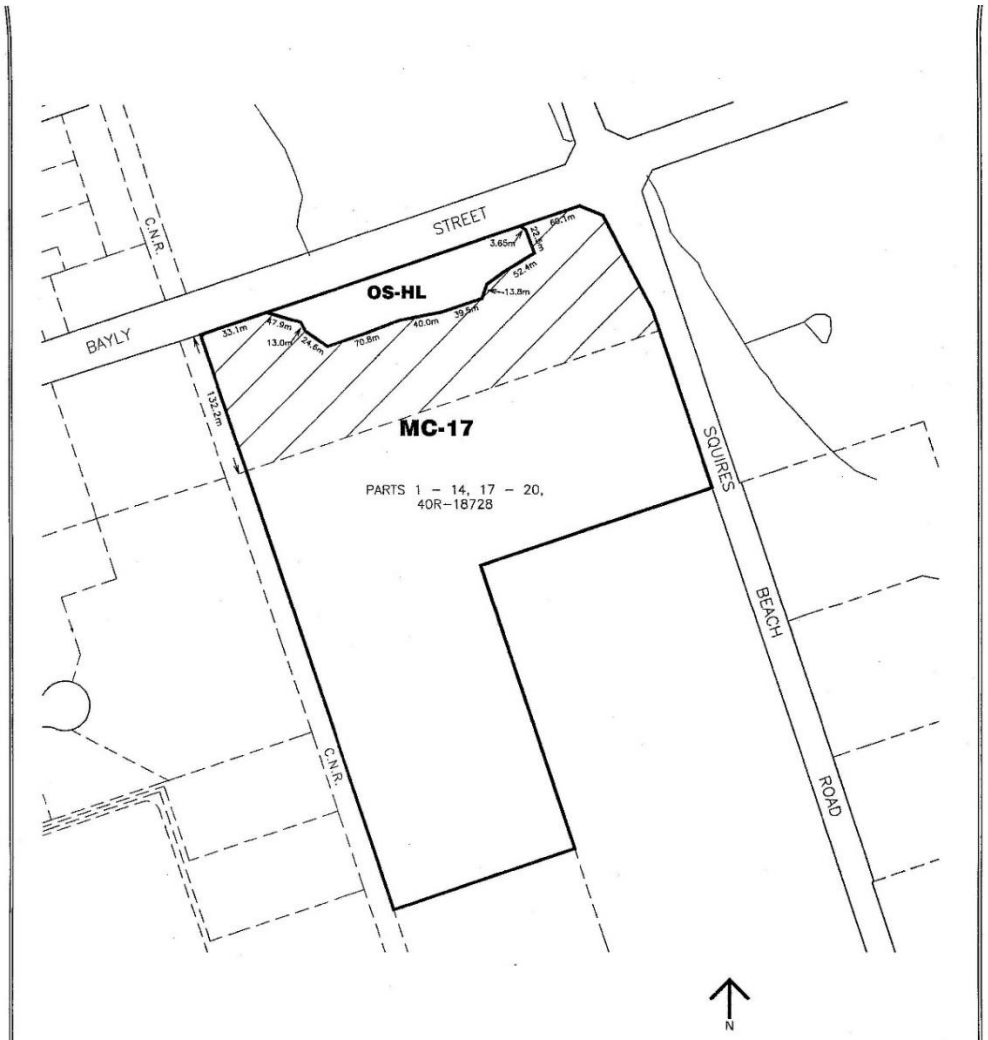
ii. resource management;

iii. pedestrian trails and walkways;

d) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

3. Figure 1



SCHEDULE I TO BY-LAW 6070/02 ,
AS AMENDED BY BY-LAW 6140/03
PASSED THIS 26
DAY OF May 2003

MAYOR

CLERK

15.76 Exception Zone 76 (By-law 6254-04)

1. Definitions

a) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

b) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

c) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

d) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;

f) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

g) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to such processes;

h) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

i) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

j) “Gross Leasable Floor Area” shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

k) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

l) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

n) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

o) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

p) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

q) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

r) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

s) “Place of Assembly” shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

t) “Place of Worship” shall mean a building or part of a building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care centre or nursery school;

u) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

v) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to-time, or any successor thereto;

w) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;

x) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

y) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

z) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

aa) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;

bb) “Vehicle Sales or Rental Establishment” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

cc) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use; and

dd) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;

ee) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

ff) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

gg) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

hh) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ii) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot

line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

jj) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

kk) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot

2. Provisions

a) Uses Permitted ("MC-19" Zone)

No person shall within the lands designated "MC-19", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;
ii. business office;
iii. club;
iv. commercial club;
v. commercial-recreational establishment;
vi. commercial school;
vii. dry cleaning depot;
viii. dry cleaning establishment;
ix. food preparation plant;
x. light manufacturing plant;
xi. manufacturing plant;
xii. merchandise service shop;
xiii. personal service shop;
xiv. place of assembly;
xv. place of amusement or entertainment;
xvi. place of worship;
xvii. printing establishment;
xviii. professional office;
xix. rental establishment;
xx. restaurant – Type A;
xxi. sales outlet;
xxii. scientific, medical or research laboratory;

xxiii. vehicle repair shop;

xxiv. vehicle sales or rental establishment;

xxv.warehouse;

b) Zone Requirements ("MC-19" Zone)

No person shall within the lands designated "MC-19", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. OUTDOOR STORAGE:

Open storage shall not be permitted;

ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 15 metre

iii. SIDE YARD WIDTH REQUIREMENTS (minimum): 6.5 metres

iv. REAR YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

v. PARKING REQUIREMENTS (minimum):

A. 415 spaces

B. Sections 5.21.2 (a) and (b) of By-law 2511 shall not apply;

C. Notwithstanding section 5.21.2 (g) of By-law 2511, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof

vi. BUILDING SIZE (maximum aggregate, all buildings on the lands): 23200 square metres

vii. BUILDING HEIGHT (maximum): 12 metres

viii. SPECIAL REGULATIONS:

A. A sales outlet, accessory to a permitted industrial operation, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the related industrial operation, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area in that building;

C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial recreational establishments, dry cleaning depots, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – type A on the lots shall not exceed 50% of the gross leasable floor area of all buildings on the lot;

D. The maximum gross leasable floor area for any personal service shop, or restaurant – Type A shall be 325 square metres;

E. The maximum aggregate gross leasable floor area shall be:

1) for all personal service shops on the lands: 325 square metres

2) for all restaurants – Type A on the lands: 325 square metres

F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated “MC-19”.

G. Despite Section 2(a)(xx), a restaurant – Type A shall not include a drive-thru component.

15.77 Exception Zone 77 (By-law 6255-04)

1. DEFINITIONS

a) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

b) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

c) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

d) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;

f) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

g) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to such processes;

h) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

i) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

j) “Gross Leasable Floor Area” shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

k) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

l) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

n) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

o) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

p) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

q) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

r) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

s) “Place of Assembly” shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

t) “Place of Worship” shall mean a building or part of a building dedicated to religious worship and may include a church, synagogue, temple or assembly hall along with accessory office space and nursery facilities, but shall not include a day nursery, day care centre or nursery school;

u) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

v) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to-time, or any successor thereto;

w) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;

x) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises;

y) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

z) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

aa) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;

bb) “Vehicle Sales or Rental Establishment” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

cc) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use; and

dd) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;

ee) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

ff) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

gg) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

hh) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ii) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot

line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

jj) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

kk) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

ll) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

mm) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

nn) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MC-18" Zone)

No person shall within the lands designated "MC-18", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;
ii. business office;
iii. club;
iv. commercial club;
v. commercial-recreational establishment;
vi. commercial school;
vii. dry cleaning depot;
viii. dry cleaning establishment;
ix. food preparation plant;
x. light manufacturing plant;
xi. manufacturing plant;
xii. merchandise service shop;
xiii. personal service shop;
xiv. place of assembly;
xv. place of amusement or entertainment;
xvi. place of worship;

xvii. printing establishment;

xviii. professional office;

xix. rental establishment;

xx. restaurant – Type A;

xxi. sales outlet;

xxii. scientific, medical or research laboratory;

xxiii. vehicle repair shop;

xxiv. vehicle sales or rental establishment;

xxv. warehouse;

b) Zone Requirements ("MC-18" Zone)

No person shall within the lands designated "MC-18", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. OUTDOOR STORAGE:

A. Open storage shall not be permitted;

ii. FRONT YARD DEPTH REQUIREMENTS (minimum): 15 metres

iii. INTERIOR SIDE YARD WIDTH REQUIREMENTS (minimum): 7.5 metres

iv. FLANKAGE SIDE YARD WIDTH REQUIREMENTS (minimum): 15 metres

v. REAR YARD DEPTH REQUIREMENTS (minimum): 7.5 metres

vi. PARKING REQUIREMENTS (minimum):

A. 140 spaces

B. Sections 5.21.2 (a) and (b) of By-law 2511 shall not apply;

C. Notwithstanding section 5.21.2 (g) of By-law 2511, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof

vii. BUILDING SIZE (maximum aggregate, all buildings on the lands): 6750 square metres

viii. BUILDING HEIGHT (maximum): 12 metres

ix. SPECIAL REGULATIONS:

A. A sales outlet, accessory to a permitted industrial operation, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

B. Notwithstanding Clause A above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the related industrial operation, provided the aggregate gross leasable

floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area in that building;

C. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial schools, commercial recreational establishments, dry cleaning depots, personal service shops, places of assembly, places of amusement or entertainment, places of worship, and restaurants – type A on the lots shall not exceed 25% of the gross leasable floor area of all buildings on the lot;

D. The maximum gross leasable floor area for any personal service shop, or restaurant – Type A shall be 325 square metres;

E. The maximum aggregate gross leasable floor area shall be:

1) For all personal service shops on the lands: 325 square metres

2) For all restaurants – Type A on the lands: 325 square metres

F. Notwithstanding any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated “MC-18”;

G. Despite Section 2(a)(xx), a restaurant – Type A shall not include a drive-thru component.

15.78 Exception Zone 78 (By-law 5736-00)

1. Notwithstanding the provisions of Section 14.1 of By-law 2511, the lands designated "C2-1" located in Part of Lot 20, Range 3, may be used only for the purpose of either an eating establishment as defined herein, or a place of religious assembly which shall mean lands or premises where people assemble for worship, counseling, educational, contemplative or other purposes of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof, in accordance with the provisions of Sections 14.2 and 14.3 of By-law 2511.

15.79 Exception Zone 79 (By-law 6129-03)

1. Definitions

   a) "Commercial-Recreational Establishment" shall mean a commercial establishment in which recreational facilities such as bowling alleys, miniature golf courses, bingo facilities, gymnastics facilities, roller skating rinks, squash courts, swimming pools, batting cages, indoor skateboarding/in-line skate park, and other similar recreational facilities are provided, and which may include an athletic or recreational club, but shall not include a place of amusement or entertainment as defined herein, a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined herein or a body rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time or any successor thereto;

   b) "Adult Entertainment Parlour" shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   c) "Place of Amusement or Entertainment" shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a room or area used for any video lottery terminal use as governed by the Gaming Services Act, and adult entertainment parlour as defined herein or a body rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time or any successor thereto;

2. Provisions

   a) In addition to the provisions of Section 17.1 of By-law 2511, the lands designated M2 may be used for the purpose of a Commercial-Recreational Establishment in accordance with Section 17.2 provided that the following requirements are met:

      i. That despite the definition of a Commercial-Recreational Establishment, a Bingo Facility shall not be permitted;

      ii. the gross leasable floor area of all Commercial-Recreational establishments shall not exceed 1600 square metres, and the parking ratio shall be 1 space per 56 square metres of gross leasable floor area, or portion thereof.

15.80 Exception Zone 80 (By-law 6673-06)

1. Definitions

   a) "Body-Rub" includes the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person's body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario;

   b) "Body-Rub Parlour" includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licenced or registered so to do under the laws of the Province of Ontario;

2. Provisions for a Body-Rub Parlour

   In addition to the provision of Subsection 16.1 of By-law 2511, a Body-Rub Parlour is permitted on lands known as South Part of Lot 19, Concession 1 (1630 1634 Bayly Street), in the City of Pickering, provided that the following requirements are met:

   a) No more than one body-rub parlour shall be permitted;

   b) The gross leasable floor area of the body-rub parlour shall not exceed 110 square metres;

15.81 Exception Zone 81 (By-law 6780-07)

1. Provisions

   a) In addition to the provisions of Section 17.1 of By-law 2511, the lands designated "M-2" may be used for the purpose of a Gymnastics Facility, in accordance with Section 17.2 provided that the following requirements are met:

      i. the parking ratio shall be, 4.0 spaces per 100 square metres of gross leasable floor area, or portion thereof.

15.82 Exception Zone 82 (By-law 7610-18)

1. Notwithstanding. the provision for maximum building height in Subsection 10.2.7 of By-law 2511, lands subject to this By-law shall have a maximum building height of 9.5 metres.

15.83 Exception Zone 83 (By-law 6358-04)

1. DEFINITIONS

a) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization but shall not include a retail store;

b) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment;

c) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of The Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

d) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to such processes;

e) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

f) “Food Store” shall mean a building or part of a building in which food, produce, and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public;

g) “Gross Leasable Floor Area” shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

h) “Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon,

a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time to time, or any successor thereto;

l) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to-time, or any successor thereto;

m) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

o) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

p) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

u) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

v) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

w) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("LCA-11" Zone)

No person shall within the lands designated " LCA-11", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. business office;

ii. commercial-recreational establishment;

iii. day care facility;

iv. dry cleaning depot;

v. financial institution;

vi. food store;

vii. personal service shop;

viii. professional office;

ix. retail store;

b) Zone Requirements ("LCA-11" Zone)

No person shall within the lands designated " LCA-11", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. FRONT YARD DEPTH REQUIREMENTS (minimum): 4.0 metres

ii. INTERIOR SIDE YARD WIDTH REQUIREMENTS (minimum): 1.0 metres

iii. FLANKAGE SIDE YARD WIDTH REQUIREMENTS (minimum): 4.0 metres

iv. REAR YARD DEPTH REQUIREMENTS (minimum): 1.0 metres

v. BUILDING SIZE

(maximum gross leasable floor area, all buildings on the lands) 2,800 square metres

c) Parking Requirements (maximum)

i. All parking areas and driving aisles shall be set back a minimum of 3.0 metres from any road allowance;

ii. For all uses, there shall be provided and maintained on the lands a minimum of 5.5 parking spaces for every 100 square metres of gross leasable floor area or part thereof;

iii. Notwithstanding section 5.21.2 (g) of By-law 2511, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

d) BUILDING HEIGHT (maximum): 15 metres

e) SPECIAL REGULATIONS:

i. Despite any provision of By-law 2511, as amended, an outdoor garden centre having a maximum area of 400 square metres is permitted in association with a food store from April 1st to June 30th of every calendar year, while providing a minimum of 140 parking spaces on the subject property.

f) Uses Permitted ("(H)" Holding Symbol)

Despite the provisions of Section (1) of this By-law, while the "(H)" Holding Symbol is in place preceding the "LCA-11" Zone designation, no person shall use any lands for any purpose other than those uses permitted in Section 9.1 of By-law 2511, as amended.

g) Removal of the "(H)" Holding Symbol

Prior to an amendment to remove the "(H)" Holding Symbol preceding the "LCA-11" Zone, on the area so zoned, the owner shall:

i. provide proof to the City of Pickering that the road works for Whites Road and Granite Court that abut the subject property, including road widening and reconstruction have been initiated by the Region of Durham; and,

ii. enter into an appropriate agreement with the City and receive site plan approval to address, such matters as, site function (access/egress, traffic aisles, parking locations), site improvements (landscaping, paved surfaces, road improvements), and building placement.

15.84 Exception Zone 84 (By-law 6375-04, as amended by By-law 7201-12)

1. DEFINITIONS

a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) "Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally by an above-grade common wall.

d) "Detached Dwelling" shall mean a single dwelling, which is freestanding, separate and detached from other main buildings or structures;

e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“MD-S-SD” Zone)

No person shall within the lands designated “MD-S-SD” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling;

ii. semi-detached dwelling.

b) Zone Requirements (“MD-S-SD” Zone)

No person shall within the lands designated “MD-S-SD” use any lot or erect, alter or use any building except in accordance with the following provisions:

c) BUILDING REQUIREMENTS:

i. Number of Dwelling Units (maximum) 16

ii. Building Height (maximum) 9.0 metres

iii. Number of dwelling units fronting Old Orchard Avenue 4

iv. Dwelling Unit Requirements:

A. Maximum one dwelling unit per lot

B. Minimum gross floor area residential of 100 square metres;

v. Building Location and Setbacks:

A. Buildings and structures shall be located entirely within the building envelope as illustrated on Figure 1 attached hereto.

d) LOT COVERAGE (Maximum): 40 percent

i. Despite Section 2(d)above, where a single storey covered and unenclosed verandah or porch having no habitable space above it is attached to the wall containing the main front entrance to the dwelling unit, such porch shall be excluded from the calculation of lot coverage.

e) PARKING REQUIREMENTS:

i. Minimum Parking Spaces (per dwelling unit): 2 spaces

ii. Minimum one private garage per lot

iii. Any vehicular entrance for a private garage shall be located a minimum of 6 metres from any lot line that abuts the street or private road that provides vehicle access to the private garage;

f) BUILDING SEPERATION:

i. The horizontal distance between adjacent buildings shall not be less than 1.8 metres, except if such buildings are attached in whole or in part.

ii. Despite paragraph 2(f)(i) above, a horizontal distance between attached garages on adjacent lots shown in the cross hatched area in Figure 1 attached to this by-law shall not be less than 1.2 metres.

g) SPECIAL REQUIREMENTS:

i. Accessory Buildings and Uses are permitted in accordance with By-law 2511 Section 5.19.

ii. Despite the provisions of Section 5.6 of By-law 2511, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street and the following provisions apply:

A. Semi Detached Dwelling

1) Lot Area (minimum): 205 square metres

2) Frontage (minimum): 7.0 metres

3) Front Yard Depth (minimum):

I. to front wall of dwelling: 4.5 metres
II. to garage: 6.0 metres

4) Interior Side Yard Width (minimum):

1.2 metres one side, 0.0 metres on the other

5) Flanking side yard (minimum): 2.7 metres

6) Rear yard Depth (minimum): 7.5 metres

7) Building Height (maximum): 9.0 metres

8) Garage Projection:

I. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey

9) Driveway Width (maximum): 55 percent of lot frontage

B. Detached Dwelling

1) Lot Area (minimum): 250 square metres

2) Lot Frontage (minimum): 11.0 metres

3) Front Yard Depth (minimum): 6.0 metres

4) Interior Side Yard Width (minimum):

I. for inside lots: metres one side, 0.6 metres on the other

II. for corner lots: 0.6 metres

III. the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres except for lots in the cross hatched area in Figure 1 attached to this by-law, the horizontal distance between attached garages on adjacent lots shall be not be less than 1.2 metres

5) Flankage Side Yard (minimum): 2.7 metres

6) Rear Yard Depth: 7.5 metres

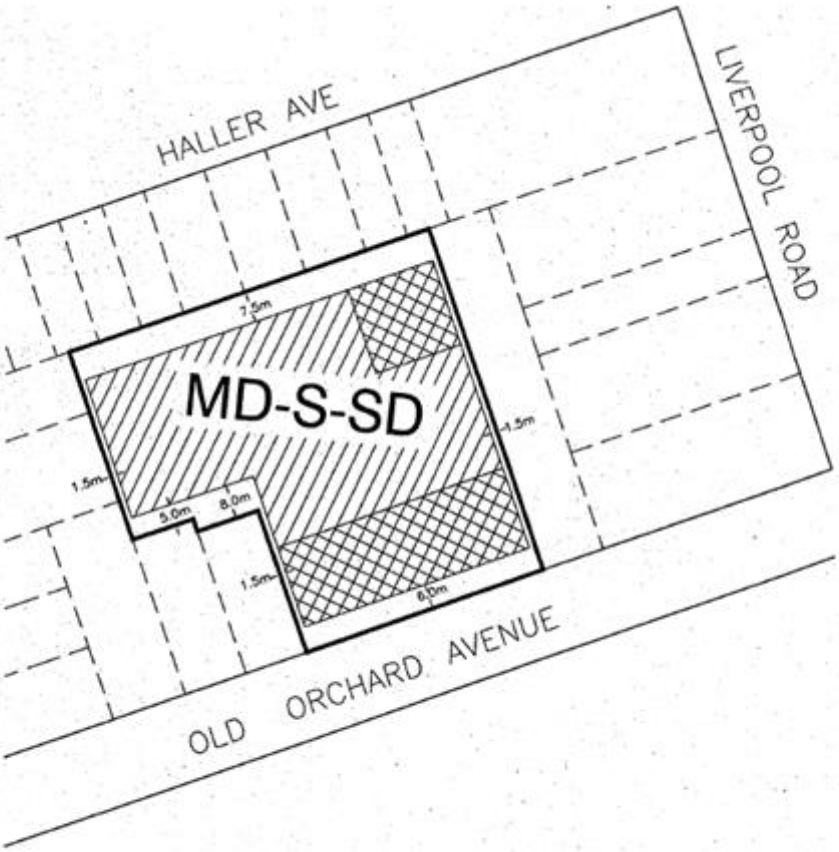
7) Building Height (maximum): 9.0 metres

8) Garage Projection:

I. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey

9) Driveway Width (maximum): 55 percent of lot frontage

3. Figure 1



SCHEDULE I TO BY-LAW 7201/12
PASSED THIS 26th
DAY OF March 2012

MAYOR

CLERK

15.85 Exception Zone 85 (By-law 6393-04)

1. Definitions

   a) “Body Shop” shall mean an establishment in which motor vehicle bodies are repaired and/or painted;

   b) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   c) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

   d) “Front Yard Depth” shall mean the shortest horizontal dimension of the front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

   e) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point or the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

   f) “Vehicle Display Area” shall mean a specified area used specifically for the display of vehicles which are associated with a vehicle sales and service establishment;

   g) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop, as defined herein, or any establishment engaged in the retail sale of motor vehicle fuels;

   h) “Vehicle Sales and Service” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels, or a body shop as defined herein;

2. Provisions

   a) Uses Permitted (“SC-36” Zone)

      No person shall, within the lands zoned “SC-36”, use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. vehicle sales and service

b) Zone Requirements (“SC-36” Zone)

No person shall within the lands designated “SC-36” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS

A. Front Yard Depth:

1) Minimum: 22.0 metres

2) Maximum: 32.0 metres

B. Side Yard Width (minimum): 3.0 metres

C. Rear Yard Depth (minimum): 3.0 metres

D. Building Height (minimum): 6.0 metres

c) OUTDOOR STORAGE

i. No outdoor storage is permitted in any yard;

ii. Despite subclause 2(c)(i) above, the storage of automobiles in association with a vehicle sales and service use shall be permitted in any yard;

d) PARKING REQUIREMENTS

i. For a vehicle sales or rental establishment use, there shall be provided and maintained on the subject lands a minimum of 3.0 spaces per 100 square metres of gross leasable floor area.

ii. Despite clause 5.21.2d) of By-law 2511, as amended, a maximum of 3 vehicles may be located within the vehicle display area, which shall be located within the 3.0 metre parking area setback.

iii. No parking space, as required by subclause 2(d)(i) above, may be used for the storage or display of automobiles;

iv. Clauses 5.21.2a) to 5.21.2c) and 5.21.2e) inclusive, of By-law 2511, as amended, shall not apply to the lands zoned “SC-36”;

v. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2511, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

15.86 Exception Zone 86 (By-law 7073-10)

1. Despite the height requirement provision of Subsection 5.10 and the front yard requirement provision of Subsection 10.2.3 of By-law 2511, where any lot having frontage on Rougemount Drive on lands known as Part of Lot 44, Plan 350 in the City of Pickering, is used for a detached dwelling, the following provision shall apply:

    a) Dwelling Height (maximum): 9.0 meters

    b) Front Yard Depth (minimum): 10.0 meters

15.87 Exception Zone 87 (By-law 7307-13)

1. Despite the height requirement provision of Subsection 5.10 and the front yard requirement provision of Subsection 10.2.3 of By-law 2511, where any lot having frontage on Rougemount Drive on lands known as Part of Lots 43, Plan 350, Part 1, Plan 40R-18460 in the City of Pickering, is used for a detached dwelling, the following provisions shall apply:

   a) Dwelling Height (maximum): 9.0 metres

   b) Front Yard Depth (minimum): 10.0 metres

15.88 Exception Zone 88 (By-law 2719)

1. Notwithstanding anything contained in Section 19.1 of By-law 2511, the lands described subject to this exception may be used for, or have erected thereon a building or structure intended as a Community Centre. Such use, building or structure shall be predominantly recreational in nature and shall be operated by the Fairport Beach Ratepayers' Association.

15.89 Exception Zone 89 (By-law 6118-03)

1. Notwithstanding subclause 9.1 or any other provision of By-law 2511, a detached dwelling unit on Plan 418, Part Block K, (40R-12933, Part 2) may include a second dwelling unit in the main dwelling.
2. A covered and unenclosed step or platform may project a maximum of 1.5 metres to the required flanking side yard;
3. Where a detached dwelling on Plan 418, Part Block K, (40R-12933, Part 2) contains a second dwelling unit, the following parking provisions will apply:
    a) A minimum of three parking spaces shall be provided and maintained on that lot.
    b) No vehicular access to the site from Cowan Circle

15.90 Exception Zone 90 (By-law 4444-94, as amended by By-law 5618-00)

1. Definitions

a) "Bakery" shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

b) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a public or private agency, a business, a brokerage, or a labour or fraternal organization, and includes an office accessory to a permitted use:

c) "Commercial Club" shall mean an athletic, recreational or social club operated for gain or profit and having public or private membership;

d) "Commercial-Recreational Establishment" shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller skating rinks, squash courts, swimming pools and other similar indoor recreational facilities are provided and operated for gain or profit, and which may include an arena or a stadium but shall not include a place of amusement or entertainment as defined herein;

e) "Dry-Cleaning Depot" shall mean a building or part thereof used for the purpose of receiving articles or goods or fabrics to be subjected to the process of dry-cleaning or laundering elsewhere and distribution of articles or goods which have been subjected to any such process;

f) "Dry-Cleaning Establishment" shall mean a building where dry-cleaning, dry-dyeing, cleaning or pressing of articles or goods of fabric is carried on, but does not include a spotting and stain removing establishment, hand laundry, machine laundry or a wholesale dyeing plant;

g) "Food Preparation Plant" shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

h) “Gross Floor Area” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, but excluding basements.

i) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or part thereof as the case may be, other than rooms or space jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms, lobbies, stairwells, elevators and service corridors;

j) "Light Manufacturing Plant" shall mean a manufacturing plant used for:

   i. the dry cleaning, pressing or laundering of garments;

   ii. the production of apparel and finished textile products other than the production of synthetic fibers;

   iii. printing or duplicating;

   iv. the manufacture of finished paper and allied products other than the processing of wood pulp;

   v. the production of cosmetics, drugs and other pharmaceutical supplies; or

   vi. the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, such as furniture, housewares, toys, musical instruments, jewelry, watches, precision instruments, radios and electronic components;

k) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

m) "Merchandise Service Shop" shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items, are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but shall not include a manufacturing plant, or any establishment used for the service or repair of vehicles or a retail store;

n) "Place of Assembly" shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment;

o) "Private Club" shall mean an athletic, recreational or social club, and includes the premises of a fraternal organization;

p) "Professional Office" shall mean a building or part of a building in which legal, medical or other professional service is performed, or consultation given, and may include a clinic, and the offices of a lawyer, an architect, an engineer, a chartered accountant, a real estate agent or an insurance agent but shall not include a body-rub parlour as defined in Section 368a(6)

of the Municipal Act, R.S.O. 1970, Chapter 284, as amended from time-to-time, or any successor thereto;

q) "Public Club" shall mean an athletic, recreational or social club not operated for gain or profit and having public membership;

r) "Restaurant - Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on or off the premises, or both;

s) "Sales Outlet" shall mean a building or part of a building accessory to a manufacturing plant, a merchandise service shop, a food preparation plant or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

t) "Scientific, Research or Medical Laboratory" shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, and where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations are manufactured or otherwise prepared for use on the premises;

u) "Vehicle Repair Shop" shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed in return for remuneration, but shall not include a body shop or any establishment engaged in the retail sale of vehicle fuels;

v) "Vehicle Sales Shop" shall mean an establishment in which vehicles are displayed for sale, sold or both;

w) "Warehouse" shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging or wholesale distribution of goods, wares, merchandise, food-stuff, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

x) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

y) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

z) "Front yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

aa) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

bb) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

cc) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

dd) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted ("MC-9" Zone)

No person shall within the lands designated "MC-9" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. bakery
ii. business office
iii. commercial club
iv. commercial recreation establishment
v. dry cleaning depot
vi. dry cleaning establishment
vii. food preparation plant
viii. light manufacturing plant
ix. merchandise service shop
x. place of assembly
xi. private club
xii. professional office
xiii. public club
xiv. restaurant - type A
xv. sales outlet

xvi. scientific, research or medical laboratory

xvii. vehicle repair shop

xviii. vehicle sales shop

xix. warehouse

b) Zone Requirements ("MC-9 " Zone)

No person shall within the lands designated "MC-9" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. FRONT YARD DEPTH (minimum): 9.0 metres

ii. SIDE YARD WIDTH (minimum): 1.8 metres

iii. REAR YARD DEPTH (minimum): 15 metres

iv. LOT COVERAGE (maximum): 50 percent

v. OUTDOOR STORAGE:

No outdoor storage or display shall be permitted in any yard

vi. BUILDING HEIGHT (maximum): 16 metres

vii. PARKING REQUIREMENTS:

A. For the purpose of this clause "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length, for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lands designated “MC-9”, a minimum of 4.0 parking spaces per 100 square metres of building gross leasable floor area;

viii. SPECIAL REGULATIONS:

A. The aggregate gross floor area of all buildings on the lot shall not exceed 2300 square metres;

B. The aggregate gross leasable floor area of all bakeries, commercial clubs, commercial recreational establishments, dry cleaning depots, merchandise service shops, places of assembly, private clubs, professional offices, public clubs, restaurant, sales outlets and vehicle sales shops shall not exceed 50 percent of the total gross leasable floor area of all buildings on the lot;

C. The aggregate gross leasable floor area of all Restaurants - type A, shall not exceed 25 percent of the total gross leasable floor area of all buildings on the lot;

D. No restaurants - type A shall include drive-through, order and pick-up service;

E. Sales outlets shall be permitted only if accessory to food preparation plants, light manufacturing plants, merchandise service

shops, warehouses or bakeries and provided that the gross leasable floor area of the outlet does not exceed 20 percent of the gross leasable floor area of the food preparation plant, light manufacturing plant, merchandise service shop, warehouse or bakery;

F. Dry-Cleaning depots shall be permitted only if accessory to dry-cleaning establishments and provided the gross leasable floor area of the dry cleaning depot does not exceed 20 percent of the gross leasable floor area of the dry cleaning establishment.

15.91 Exception Zone 91 (By-law 8021-23)

1. Definitions

a) “Balcony” shall mean an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

b) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

c) “Daylighting Triangle” shall mean an area free of buildings, structures, fences and hedges up to 0.9 metres in height.

d) “Deck” shall mean a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

e) “Dwelling” shall mean a building or part of a building containing one (1) or more dwelling units, but does not include a mobile home or trailer.

f) “Dwelling, detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

g) “Dwelling Depth” shall mean the horizontal distance measured from the front wall of a dwelling to the rear wall of a dwelling, excluding any allowable projection.

h) "First Floor" shall mean the floor of a building approximately at or first above grade.

i) “Front Entrance” shall mean the principal entrance oriented towards the front lot line providing access to the interior of a dwelling from the exterior and does not include an access provided through an attached private garage. In the case of a corner lot, the principal entrance providing access to the interior of a dwelling from the exterior may be oriented towards the side lot line that is adjacent to the street, or abutting on a reserve on the opposite side of which is a street.

j) “Grade” or “Established Grade” shall mean, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building; and when used with reference to a structure, shall mean the average elevation of the finished level of the ground surrounding such structure, exclusive in both cases of any artificial embankment.

k) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge. A rooftop walkout that does not house mechanical equipment for a dwelling, and railings associated with a rooftop amenity area shall not be included in the calculation of building height. Roof structures that provide livable space, such as a penthouse, shall be included in the calculation of building height.

l) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

m) “Lot Coverage” shall mean the combined areas of all the buildings on a lot measured at the level of the first floor and expressed as a percentage of the lot area, including covered platforms such as covered porches and covered decks, but excluding eaves, belt courses, chimney breasts, sills or cornice projections, and balconies.

n) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

o) “Porch” shall mean a roofed deck or portico structure attached to the exterior wall of a building, a basement may be located under the porch.

p) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

q) “Storey” shall mean the portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

r) “Wall, Front” shall mean a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.

s) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

t) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

u) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

v) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

w) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

x) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

y) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

z) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

aa) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

bb) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Permitted Uses and Zone Regulations (“R4-25”, “R4-26”, “R4-27”, “R4-28” Zones)

a) Permitted Uses (“R4-25”, “R4-26”, “R4-27”, “R4-28” Zones)

No person shall, within the lands zoned “R4-25”, “R4-26”, “R4-27” or “R4-28”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Detached dwelling

b) Zone Requirements (“R4-25”, “R4-26”, “R4-27”, “R4-28” Zones)

No person shall, within the lands zoned “R4-25”, “R4-26”, “R4-27” or “R4-28”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

		"R4-25"	"R4-26"	"R4-27"	"R4-28"
(a)	Lot Area (minimum)	500 square metres	350 square metres	400 square metres	350 square metres
(b)	Lot Frontage (minimum)	14.0 metres	11.0 metres	16.0 metres	12.0 metres
(c)	Front Yard Depth (minimum)	8.5 metres			5.0 metres
(d)	Side Yard Width (minimum)	(i) 1.5 metres on one side, 0.6 of a metre on the other side (ii) 1.5 metres where the other side yard is a flankage side yard			
(e)	Flankage Side Yard Width (minimum)	3.0 metres			
(f)	Rear Yard Depth (minimum)	7.5 metres			5.0 metres
(g)	Dwelling Depth (maximum)	(i) For lots with depths up to and including 40 metres: 17 metres (ii) For lots with depths greater than 40 metres: 20 metres			
(h)	Front Entrance (maximum elevation)	The maximum elevation of the front entrance shall be 1.2 metres above the average grade, which is measured along the front wall of the dwelling, to the top of the platform (covered or uncovered) immediately outside of the front entrance.			
(i)	Building Height (maximum)	9.6 metres			
(j)	Lot Coverage (maximum)	30 percent	38 percent	30 percent	38 percent
(k)	Parking Requirements (minimum)	A minimum of 2 parking spaces per dwelling unit, one of which must be provided within an attached private garage.			
(l)	Driveway Width (maximum)	6.0 metres			
(m)	Garage Requirements (minimum)	A minimum of one private garage per lot attached to the main building, the vehicular entrance of which shall be located no less than 6.0 metres from the front lot line or flankage lot line.			

		“R4-25”	“R4-26”	“R4-27”	“R4-28”
(n)	Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres. However, the width may include one interior step and the depth may include two interior steps.			
(o)	Rooftop Amenity Area (maximum)	52 square metres			

c) Special Provisions (“R4-25”, “R4-26”, “R4-27”, “R4-28” Zones)

i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of:

A. 1.5 metres into the required front yard within the lands zoned “R4 25”, “R4-26” or “R4-27”; and

B. 3.2 metres into the required front yard within the lands zoned “R4 28”;

ii. uncovered and covered unenclosed porches and associated stairs not exceeding 1.2 metres in height above established grade may encroach a maximum of 2.4 metres into the required flankage side yard;

iii. uncovered and covered balconies may encroach a maximum of 2.0 metres into the required front yard, within the lands zoned “R4-28”;

iv. uncovered and covered decks and associated stairs not exceeding 3.0 metres in height above established grade may encroach a maximum of:

A. 4.0 metres into the required rear yard within the lands zoned “R4 25”, “R4-26” or “R4-27”; and

B. 2.5 metres into the required rear yard within the lands zoned “R4 28”;

v. balconies located above the first floor projecting or recessed in the rear are prohibited, excluding a juliette balcony;

vi. a bay, box or bow window, with or without foundation, having a width of up to 4.0 metres may encroach a maximum of 0.6 of metre into any required yard;

vii. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features may project a maximum of 0.6 of a metre into any required yard and are required to be setback a minimum of 0.6 of a metre from the interior side lot line;

viii. where a lot abuts a daylighting triangle, the setback provisions shall be measured as if the daylighting triangle did not exist;

ix. no parking space shall be permitted within 3.0 metres of a daylighting triangle; and

x. Section 6.6 of By-law 2511, related to Corners Lots, shall not apply.

15.92 Exception Zone 92 (By-law 173-75, as amended by By-law 280-75 and By-law 406-76)

1. Definitions

    a) "Flankage, Yard" shall mean the space between a main wall of the building and a side lot line bounding on a public street and extending from the front lot line to the rear lot line.

    b) "Frontage, Yard" shall mean all property abutting on one side of a street measured along a 6 metre set back line from the street.

2. Provisions

    a) The performance standards and provisions as set out in Figures 1 through 3 shall apply.

3. Figure 1

Zone	Symbol	Maximum Density			Minimum Yards			Minimum Parking Spaces per Dwelling
		Minimum Frontage	Minimum Lot Area Per Dwelling	Minimum Floor Area	Front	Side	Rear	
Semi-Detached Dwellings	SD	2 dwellings per registered lot 18.0 m 19.5 m corner lot	275 sq.m.	95 sq.m.	4.5 m	1.2 m side 2.7 m flankage	7.5 m	Each dwelling shall have one private garage set back at least 6.0 m from a street in addition to the minimum ground floor requirement.

4. Provisions

a) Maximum building height – 10.5 m

b) Maximum building coverage – 33 percent

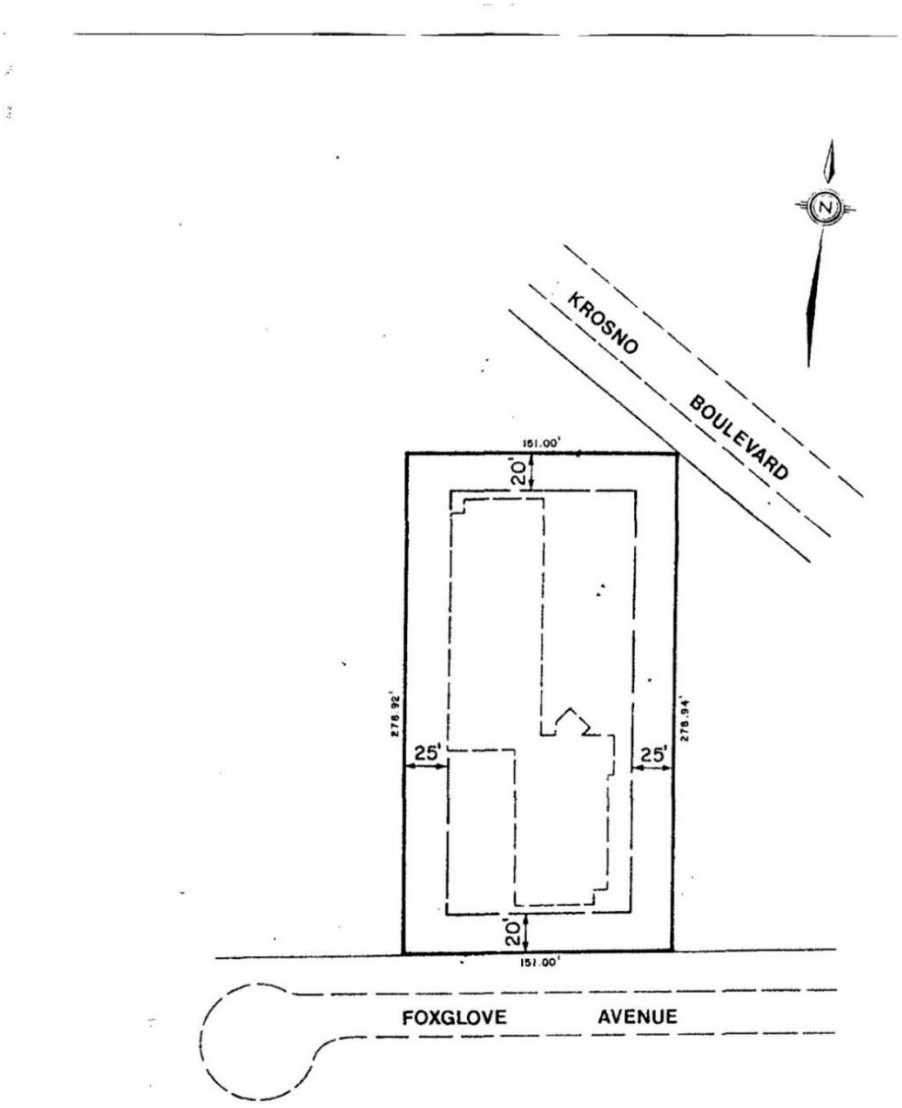
c) Where semi-detached dwellings are attached in part below grade and separated above grade, such separation shall be a minimum of 1.2 m.

d) The subject lands are specifically exempted from Sections 8.3 of By-law 2520

5. Figure 2

Zone	Symbol	Uses Permitted	Maximum Density	Landscaped Open Space	Coverage	Building Heights	Setbacks	Minimum Net Floor Area	Minimum Requirement
Residential Apartment	A36	Senior Citizens Apartment	89 u.p.ha. to nearest full unit	Minimum 50%	Maximum 30%	10.5 m	Setbacks from street & property boundaries as per Figure 3	1 Bedrm. 43 sq.m.	1 space per 4 units

6. Figure 3



LIVERPOOL - KROSNO

SCHEDULE "D" TO BY-LAW 173/75

PASSED THIS 17th DAY OF January, 1975.

MAYOR CLERK

Notes:
1. DISTANCES FROM PROPERTY LINE TO BUILDING SET-BACK LINE ARE MINIMUM DIMENSIONS. BUILDINGS SHOWN IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.
2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THIS BLOCK.
3. ABOVE SKETCH - NOT TO SCALE.

15.93 Exception Zone 93 (By-law 3991-71, as amended by By-law 1574-82)

1. None of the restrictions or provisions that apply to RM2 Zones in By-law 2520 shall apply to the lands subject to this exception and the said lands shall be developed in accordance with the following provisions:

   a) Parcel 1:

      i. Maximum Dwelling Units:

         180 apartment dwelling units and 33 multiple family dwelling units

      ii. Floor Space:

         A. Minimum for each multiple attached dwelling unit: 95 sq.m

         B. Minimum for each apartment house dwelling unit

            1) Bachelor - 32 sq.m.

            2) 1 Bedroom - 40 sq.m.

            3) 2 Bedroom - 50 sq.m.

            4) 3 or more Bedrooms - 65 sq.m.

      iii. Height: (Apartment)

         Maximum - 50 m

      iv. Setbacks and Parking:

         Front yards, side yards, rear yards, location of buildings and parking area shall be as shown on the said site plan attached hereto as Figure 1. Additional accessory buildings and structures for recreational purposes may be permitted a minimum of 1 metre from any lot line except that where the lot line abuts a street, a minimum setback of 9 metre shall be maintained. Underground and surface parking spaces shall be a minimum of 1-1/4 spaces per dwelling unit.

   b) Parcel 2:

      i. Maximum Dwelling Units:

         97 multiple family dwelling units

      ii. Floor Area:

         Minimum for each multiple attached dwelling units 95 sq.m.

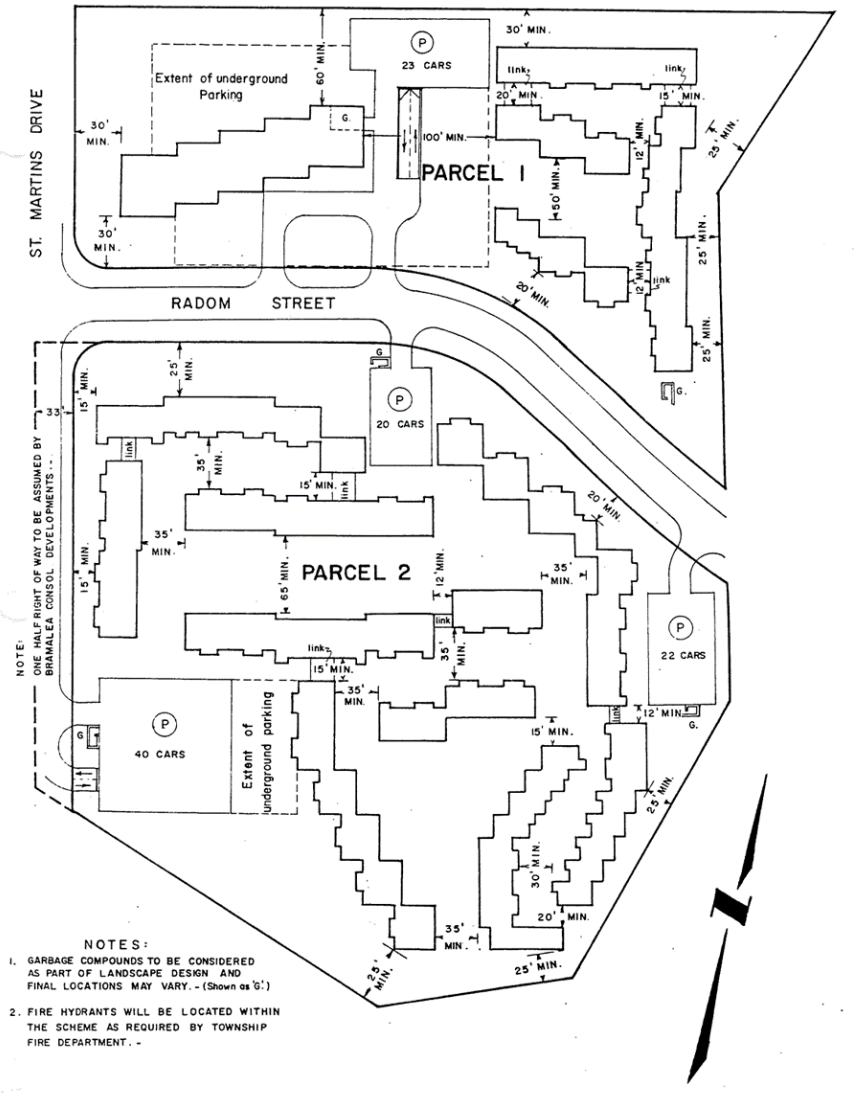
      iii. Setbacks and Parking:

         Front yards, side yards, rear yards location of buildings and parking areas shall be as shown on the said site plan attached hereto as Figure 1. Underground and surface parking spaces shall be a minimum of 1.25 spaces per dwelling unit.

iv. For the purpose of this paragraph the term "Day Nursery - Type A" shall mean lands and premises duly licensed pursuant to the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of not more than forty (40) children at any one time.

v. The lands known as Parcel 2 on Figure 1, being Part of Block Y, Plan M-16 may be used for the purpose of a Day Nursery – Type A.

2. Figure 1



TOWNSHIP OF PICKERING
PART OF BLOCK 'Y' PLAN M-16
SCHEDULE IA TO BY-LAW Nº 3991/71
AMENDING BY-LAW Nº 2520

SCALE: 0 100' 200' 50' 150'

PASSED THE 17th DAY OF May, 1971

J. R. WILLIAMS (Sgnd)
Reeve
D. J. PLITZ (Sgnd)
Clerk

15.94 Exception Zone 94 (By-law 1579-82, as amended by By-law 5244-98)

1. Definitions

   a) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization and may include a financial institution, a telegraph office, a data processing establishment, a newspaper publishing agent, or a radio or television broadcasting station and related studios or theater, but shall not include a retail store.

   b) "Dry-Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods or fabrics to be subjected to dry-cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subject to any such processes.

   c) "Floor Area" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

   d) "Gross Floor Area" shall mean the aggregate of the floor areas of all the storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar.

   e) "Laundromat" shall mean a self-serve clothes washing establishment containing one or more washers and drying, ironing, finishing or other incidental equipment.

   f) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   h) "Neighbourhood Store" shall mean a store in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale primarily to residents of, or persons employed in the immediate neighbourhood.

   i) "Personal Service Shop" shall mean an establishment where a personal service is performed and may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time or any successor thereto.

j) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given and may include a clinic and the offices of an architect, chartered accountant, engineer, lawyer or physician but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time or any successor thereto.

k) “Restaurant Type G” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, and which may include an accessory take-out component, but shall not include a drive-through.

l) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles, or things are stored, offered, or kept for sale at retail, and includes storage on or about the store premises of limited quantities of such goods, wares, merchandise, substances, articles, or things sufficient only to service such store, but does not include any retail outlet otherwise classified or defined in the By-law.

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest wall of the nearest main building or structure on the lot.

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("C4-1" Zone)

No person shall within the lands designated "C4-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. business offices
ii. dry-cleaning depots
iii. laundromats
iv. neighbourhood stores
v. personal service shops
vi. professional offices
vii. restaurant Type G
viii. retail store

b) Zone Requirements (C4-1" Zone)

No persons shall within the lands designated "C4-1" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. Lot Area (minimum) 0.3 hectares
ii. Lot Frontage (minimum) 45 metres
iii. Front Yard Depth (minimum) 12 metres
iv. Interior Side Yard Width (minimum)

4.5 metres, except where an interior side lot line abuts a residential zone, the minimum interior side yard width shall be 7.5 metres.

v. Flankage Side Yard Width (minimum) 12 metres
vi. Rear Yard Width (minimum) 7.5 metres
vii. Lot Coverage (maximum) 33 percent
viii. Building Height (maximum) 12 metres
ix. Parking Requirements (minimum) 4.5 parking spaces per 93 square metres gross floor area
x. Special Restrictions:

A. The gross floor area of all buildings on the lot shall not exceed 738 square metres.

B. The gross floor area of a neighbourhood store shall not exceed 400 square metres.

C. a maximum of 1 restaurant Type G shall be permitted on the subject lands, with a maximum gross floor area of 200 square metres.

D. the gross floor area of any retail store shall not exceed 400 square metres.

15.95 Exception Zone 95 (By-law 2806-63)

1. On the lots numbered:

    a) M-11 447 1396 Fordon Avenue, Bay Ridges

    b) M-11 502 851-849 Modin Road, Bay Ridges

    c) M-16 1247 856 Douglas Avenue

    d) M-14 29 1339 Poprad Avenue

    e) M-14 120 873 Naroch Blvd.

    f) M-14 18 1326 Poprad Avenue

    g) M-11 428 900 Kronso Blvd.

    h) M-11 712 847 Reytan Blvd.

    A carport may be erected in the side yard provided it is not closer to the street line than any side entrance to the dwelling or closer than 0.5 m to the side lot line

    A carport shall be deemed to be a private garage which is completely open on two or more sides other than for roof supports.

15.96 Exception Zone 96 (By-law 4826-96)

1. Notwithstanding any provision of this By-law, the land zoned “RM1/PS” may be used exclusively for the purposes of either a detached dwelling or a beauty salon;

2. A detached dwelling use shall be subject to the provisions of Section 7.2 of By-law 2520;

3. A beauty salon use shall be subject to the following provisions:

    a) There shall be provided and maintained on the lot a minimum of 5 parking spaces for customers;

    b) For the purpose of this Subsection, “parking space” shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles;

    c) Parking spaces shall be setback a minimum of 1.0 metre from the front property line; 1.5 metres from the northern (side) lot line; and 2.0 metres from the southern (flankage side) lot line; and

    d) All of the required customer parking may be located in the front yard;

4. For the purpose of this Section, “beauty salon” shall mean an establishment in which a personal service is performed, which may include a barber shop, beauty salon, tanning salon, nail salon, shoe repair shop, tailor or dressmaker shop, photographic studio, or similar use, but shall not include a body-rub parlour as defined in Section 224 (9)(b) of the Municipal Act, RSO 1990, Chapter M.45, as amended from time to time, or any successor thereto.

15.97 Exception Zone 97 (By-law 2734-62, as amended by By-law 3178-66, and By-law 3257-67)

1. For the purpose of this Exception zone, “gross floor area” shall mean the aggregate of the floor areas of all the stories of a building or structure, or part thereof as the case may be, other than a private garage add an attic, and shall include a cellar.

2. Nothing in this By-law shall prevent the erection and use of a building or structure on Lots 67, 68, 69, 70 and 71 of Registered Plan M-14 as a professional office provided that:

    a) Such a building or structure shall have the external appearance of a detached dwelling.

    b) One (1) parking space shall be provided in the side or rear yard for each 37 square metres of professional office space contained in the said building or structure.

    c) The Area Requirements of Section 7.2 of By-law 2520 are complied with.

    d) A professional office shall contain only the offices of a physician, dentist, lawyer, architect, engineer, chartered accountant, real-estate agent or insurance agent.

15.98 Exception Zone 98 (By-law 3587-90)

1. Definitions

   a) "Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

   d) "Dwelling, Semi-detached or Semi-detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Landscaped Open Space" shall mean space on a lot which is open and unoccupied and is suitable for growing grass, flowers, bushes, shrubs or other landscaping plants and includes a waterway, walk, patio or similar space but does not include any portion of a parking aisle, parking space, ramp or driveway;

   h) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. Provisions

a) Uses Permitted ("RM1-4" Zone)

No person shall within the lands designated "RM1-4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. multiple dwelling - horizontal

ii. semi-detached dwelling residential use

b) Zone Requirements ("RM1-4" Zone)

No person shall within the lands designated "RM1-4" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Building Setbacks (minimum): as illustrated on Figure 1

ii. Building Height (maximum): 12.0 metres

iii. Dwelling Unit Requirements:

A. minimum dwelling unit area 100 square metres

B. no more than 41 dwelling units shall be permitted within the area designated "RMI-4"

iv. Landscaped Open Space Requirements (minimum):

3.0 metre wide landscaped open space shall be provided on that part of the lands designated "RM1-4" that is cross-hatched and designated "Landscaped Open Space" on Figure 1

v. Parking Requirements:

A. "Parking Space" shall mean a useable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

B. For each dwelling unit, there shall be provided and maintained on the lot:

1) one private garage attached to the dwelling unit; any vehicular entrance of which shall be located not less than 6.0 metres from the nearest traffic aisle; and

2) a minimum 0.3 visitor parking spaces;

C. Sections 5.21.1, 5.21.2b) and 6.6c) of By-law 2520 as amended, shall not apply to lands designated "RM1-4" on Figure 1 attached hereto;

D. All but two parking spaces shall be set back a minimum of 3.0 metres from all road allowances;

vi. Special Regulations:

A. The horizontal distance between multiple dwellings-horizontal shall be a minimum of 0.9 metres.

B. The horizontal distance between multiple dwellings-horizontal and a semi-detached dwelling shall be a minimum of 1.8 metres.

C. A maximum of one semi-detached dwelling may be erected within the lands designated "RM1-4".

D. Only one pair of single dwellings comprising one semi-detached dwelling shall be permitted within the lands designated "RMI-4" and, despite Section 1(d), they shall be attached to each other above grade by a common wall which shall be not less than 3.0 metres in length and not less than 2.4 metres in height.

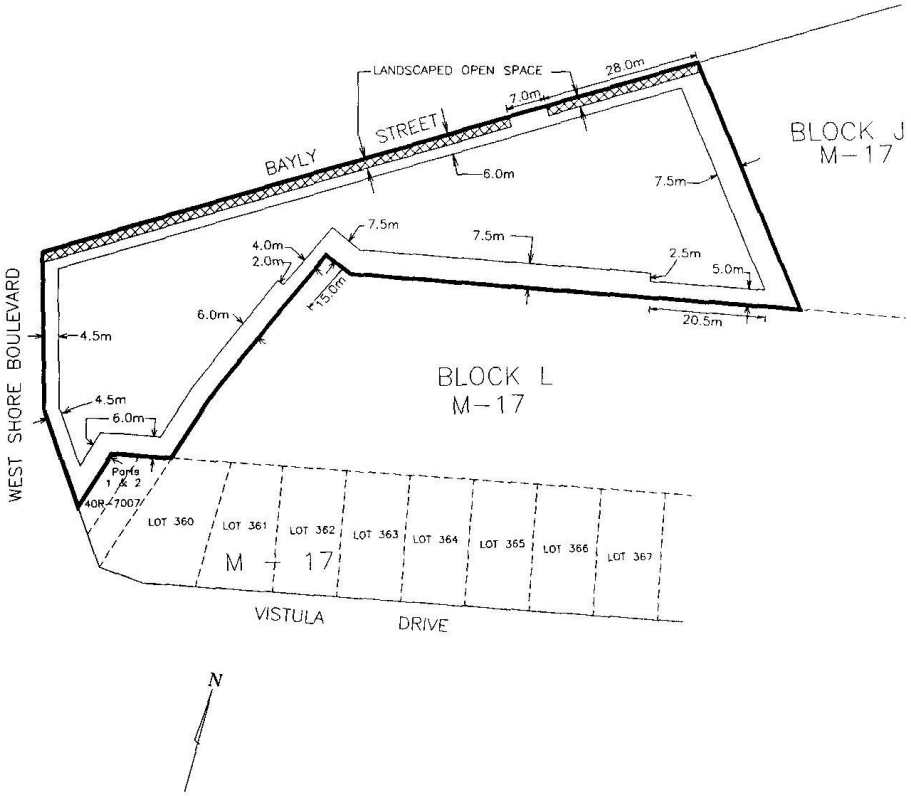
E. Despite the requirements of this Exception zone:

1) a water meter room, with a maximum floor area of 4 square metres, attached to but not forming part of a dwelling; and

2) a refuse storage structure with a maximum enclosed area of 28 square metres;

shall be permitted within the lands designated "RM1-4".

3. Figure 1



DIMENSIONS SHOWN INDICATE REQUIRED
MINIMUM BUILDING SETBACKS – SEE SECTION 5.(1)(b)(i)

SCHEDULE II TO BY-LAW 3587/90
PASSED THIS 5th
DAY OF November 1990

MAYOR (Wayne E. Arthurs)

CLERK (Bruce J. Taylor)

15.99 Exception Zone 99 (By-law 5580-99)

1. Definitions

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

c) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio broadcasting station, but shall not include a retail store as defined herein;

d) “Club” shall mean a building or part of a building in which a not-for profit or non commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community, but shall not include an adult entertainment parlour as defined herein;

e) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

f) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include an adult entertainment parlour, or any uses permissible within a place of amusement or entertainment, as defined herein;

g) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include a day nursery or any other school as defined herein;

h) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of children;

i) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry

cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

j) “Financial Institutions” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

k) “Food Store” shall mean a building or part of a building in which food or produce is stored, offered and kept for retail sale to the public and in which items or merchandise of day-to-day household necessity may be stored, offered and kept for retail sale to the public;

l) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

m) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

n) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined herein, or a body-rub parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

o) “Place of Assembly” shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

p) “Place of Religious Assembly” shall mean lands or premises where people assemble for worship, counseling, educational, contemplative or other purposes of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof;

q) “Private Non-Residential School” shall mean a school which is maintained for educational or religious purposes, but shall not include a day nursery, or any other school defined herein;

r) “Private Residential School” shall mean a school which is maintained for educational or religious purposes, and which includes accessory residential facilities, but shall not include a day nursery, or any other school defined herein;

s) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

t) “Public School” shall mean,

i. a school under the jurisdiction of a board of education which board is established pursuant to the Education Act, R.S.O. 1980, or any successor thereto;

ii. a college of applied arts and technology established pursuant to the Ministry of Education, Colleges and Universities, pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1980, or any successor thereto;

iii. a university eligible to receive potential funding from the Minister of Education, College and Universities, pursuant to the Ministry of College and Universities Act, R.S.O. 1980, or any successor thereto;

but shall not include a day nursery, or any other school defined herein.

u) “Restaurant - Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;

v) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, foods, substances, articles or things are stored, kept and offered for retail sale to the public.

2. Provisions

a) Uses Permitted ("LCA-10" Zone)

No person shall within the lands designated "LCA-10" use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakeries

ii. business offices

iii. clubs

iv. commercial clubs

v. commercial-recreational establishments

vi. commercial schools

vii. dry cleaning depots

viii. financial institutions

ix. food stores

x. laundromats

xi. personal service shops

xii. places of assembly

xiii. places of religious assembly

xiv. professional offices

xv. restaurants type - A

xvi. retail stores

b) Zone Requirements ("LCA-10" Zone)

No person shall within the lands designated "LCA-10" use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Buildings and structures shall comply with the minimum setbacks illustrated on Figure 1;

ii. There shall be provided and maintained on the lands designated “LCA-10” a minimum of 4.5 parking spaces per 93 square metres of building gross leasable floor area;

iii. Clauses 5.21.2 a) to 5.21.2 f), inclusive, of By-law 2520, as amended, shall not apply to the lands designated “LCA-10”;

iv. Notwithstanding clauses 5.21.2 g) and 5.21.2 k) of By-law 2520, as amended, all entrances and exits to parking areas, and all parking areas, shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

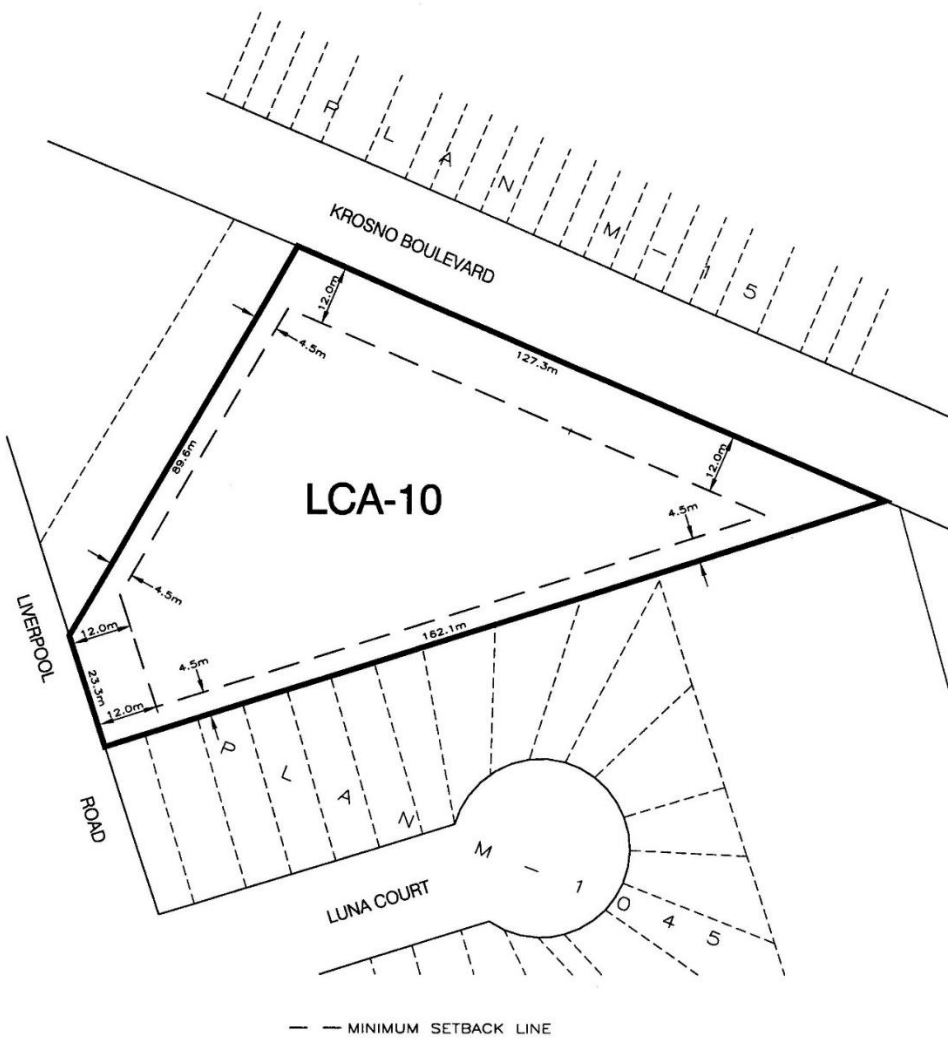
v. The aggregate gross leasable floor area of all food stores on the lot shall not exceed 1200 square metres;

vi. The aggregate gross leasable floor area of all restaurants - type A on the lot shall not exceed 300 square metres;

vii. The maximum gross leasable floor area of any club, commercial club, commercial-recreational establishment, commercial school, place of assembly or place of religious assembly shall not exceed 300 square metres;

viii. The aggregate gross leasable floor area of all clubs, commercial clubs, commercial-recreational establishments, commercial schools, places of assembly and places of religious assembly shall not exceed 900 square metres;

3. Figure 1


KROSNO BOULEVARD
PLAN M-1045
LCA-10
LIVERPOOL ROAD
LUNA COURT
PLAN M-1045
12.0m
4.5m
127.3m
89.5m
162.1m
23.3m
— — MINIMUM SETBACK LINE
SCHEDULE I TO BY-LAW _____
PASSED THIS _____
DAY OF _____ 1999
MAYOR
CLERK
N

4.

5.

15.100 Exception Zone 100 (By-law 5938-02, as amended by By-law 7811-21)

1. Definitions

   a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   c) “Bed and Breakfast” shall mean a business within a detached dwelling in which a maximum of three rooms are provided with or without meals for hire or pay, for the traveling or vacationing public;

   d) “Boat Storage” shall mean the temporary or seasonal open storage of boats on land, and may include a trailer supporting a boat, but shall not include the service, repair or sale of boats;

   e) “Business Office” shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   f) “Club” shall mean a building or part of a building in which a not-for-profit or non commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

   g) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

   h) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of children;

   i) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

j) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

k) “Dwelling, Apartment Dwelling” shall mean a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule.

l) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

m) “Multiple Dwelling - Horizontal” shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

n) “Floor Area - Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

o) “Gross Floor Area - Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

p) “Ground Floor Area” shall mean the area of that portion of a lot occupied by a building or structure, exclusive of any porch, private garage, verandah or sunroom, unless such sunroom is habitable at all seasons;

q) “Gross Leasable Floor Area - Commercial” shall mean the aggregate of the floor areas of all the storeys of a building or structure, or part thereof as the case may be, other than rooms or space jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms, lobbies, stairwells, elevators and service corridors;

r) “Games Arcade” shall mean any building, room, or area in which facilities are offered for the play of

i. three or more games of chance,

ii. three or more games of mixed chance and skill,

iii. a combination of three or more games of chance and games of mixed chance and skill,

for the amusement of the public, which games are not contrary to the Criminal Code of Canada, but does not include premises in which the amusement facilities offered are pool tables, billiard tables, or bowling alleys;

s) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

t) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

u) “Parking Lot” shall mean a lot or portion thereof, used for the temporary storage or parking of motor vehicles and available for public use, whether free, for compensation, or as an accommodation for clients, customers or residents, but shall not include the repair or the storage or parking of motor vehicles for hire and gain, display or for sales;

v) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include an adult entertainment parlour as defined herein or a body-rub parlour as defined in section 224 (9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto;

w) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall, or theatre, but shall not include a games arcade or an adult entertainment parlour as defined herein;

x) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

y) “Private School” shall mean a place of instruction (excepting a commercial school or private career college) offering courses equivalent to those customarily offered in an elementary school or secondary school;

z) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in section 224 (9)(b) of the Municipal Act, R.S.O. 1990, chapter M.45, as amended from time-to-time, or any successor thereto;

aa) “Restaurant - Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;

bb) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public.

cc) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

dd) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

ee) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

ff) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

gg) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

hh) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

ii) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

jj) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

kk) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

ll) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“MU-13” Zone)

No person shall within the lands designated “MU-13”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bed and breakfast

ii. business office

iii. club

iv. day nursery

v. dwelling, apartment dwelling

vi. personal service shop

vii. private school

viii. professional office

ix. restaurant - type A

x. retail store

b) Zone Requirements (“MU-13” Zone)

No person shall within the lands designated “MU-13”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Restrictions

A. Buildings and structures shall be located entirely within the envelope illustrated on Figure 1;

B. Building Height: minimum 7.5 metres; maximum 11.0 metres

C. Front Yard Depth: minimum 3.0 metres; maximum 4.5 metres

D. Despite clause C above, front yard balconies, verandahs and decks, both covered and uncovered, may project fully into the required minimum front yard;

ii. Parking Requirements

A. For any business office, club, day nursery, personal service shop, professional office, restaurant type-A and/or retail store use, there shall be provided and maintained on the lot a minimum of 5 parking spaces per 100 square metres of gross leasable floor area or part thereof;

B. For a dwelling, apartment dwelling use, there shall be provided and maintained on the lot a minimum of 1.75 parking spaces per unit;

C. For a private school use, there shall be provided and maintained on the lot a minimum of 1 parking space per 10 students, and a minimum of 1 parking space for each staff;

D. For a bed and breakfast use, there shall be provided and maintained on the lot a minimum of 5 parking spaces;

E. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2520, as amended, shall not apply to the lands designated “MU-13”;

F. Despite clauses 5.21.2g) and 5.21.2k) of By-law 2520, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

iii. Special Regulations

A. The maximum combined gross leasable floor area for all non-residential uses on the lands zoned “MU-13” shall not exceed 500 square metres;

B. For the purpose of this clause, the term “drive through facility” shall mean a facility in which goods, products or services are provided directly to the customer in vehicles;

C. No drive through facility shall be permitted in association with any of the uses permitted on the lands designated “MU-13”;

D. The minimum gross floor area – residential for a dwelling, apartment dwelling unit shall be 100 square metres;

E. A private school use shall be limited to a maximum gross leasable floor area of 335 square metres;

F. A private school use shall be limited to a maximum of 50 students;

G. A private school use shall be permitted to operate from September 1st to July 1st between the hours of 7:00 am and 6:00 pm;

H. No other non-residential uses are permitted to operate on the subject property concurrent to the hours of operation of the private school as noted above;

I. A maximum of four apartment dwelling units shall be permitted.

c) Uses Permitted (“MU-14” Zone)

No person shall within the lands designated “MU-14”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Residential Uses:

A. multiple dwelling – horizontal

ii. Commercial Uses:

A. business office

B. commercial school

C. professional office

D. personal service shop

E. restaurant type-A

F. retail store

d) Zone Requirements (“MU-14” Zone)

No person shall within the lands designated “MU-14”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Restrictions

A. Buildings and structures shall be located entirely within the envelope illustrated on Figure 1 attached hereto;

B. Despite clause A above, front yard balconies, verandahs and decks, both covered and uncovered, may project fully into the required minimum front yard;

C. Front Yard Depth: minimum 3.0 metres, maximum 4.5 metres

D. Building Height: minimum 7.5 metres, maximum 11.0 metres

E. Lot Frontage: minimum 6.0 metres

ii. Parking Requirements

A. For each and every multiple dwelling – horizontal, there shall be provided and maintained a minimum of 3 parking spaces, any of which may not be located within a front yard, and one of which must be provided within an attached private garage located to the rear of the dwelling unit, any vehicular entrance of which shall be located not less than 6 metres from any street or drive aisle providing access to those lots;

B. Clauses 5.21.2a) to 5.21.2f) inclusive, of By-law 2520, as amended, shall not apply to the lands designated “MU-14”;

C. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 2520, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

D. Section 5.21.1 shall not apply to the lands designated “MU 14”.

iii. Special Regulations

A. A maximum of 17 multiple dwelling - horizontal units are permitted on the lands designated zoned “MU-14”;

B. Each dwelling unit shall provide a minimum ground floor area of 60 square metres, with a minimum finished ceiling height of 2.7 metres;

C. Despite the requirements of this Exception zone, non-residential uses permitted within the “MU-14” zone designation may be established only within the ground floor of a multiple dwelling – horizontal;

D. A single dwelling unit shall be established on each lot above the ground floor of the dwelling, with supplementary floor area provided within the ground floor.

e) Uses Permitted (“O2-2” Zone)

No person shall within the lands designated “O2-2”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. parking lot

ii. boat storage

f) Zone Requirements (“O2-2” Zone)

No person shall within the lands designated “O2-2” use any lot or erect, alter, or use any building except in accordance with the following provisions:

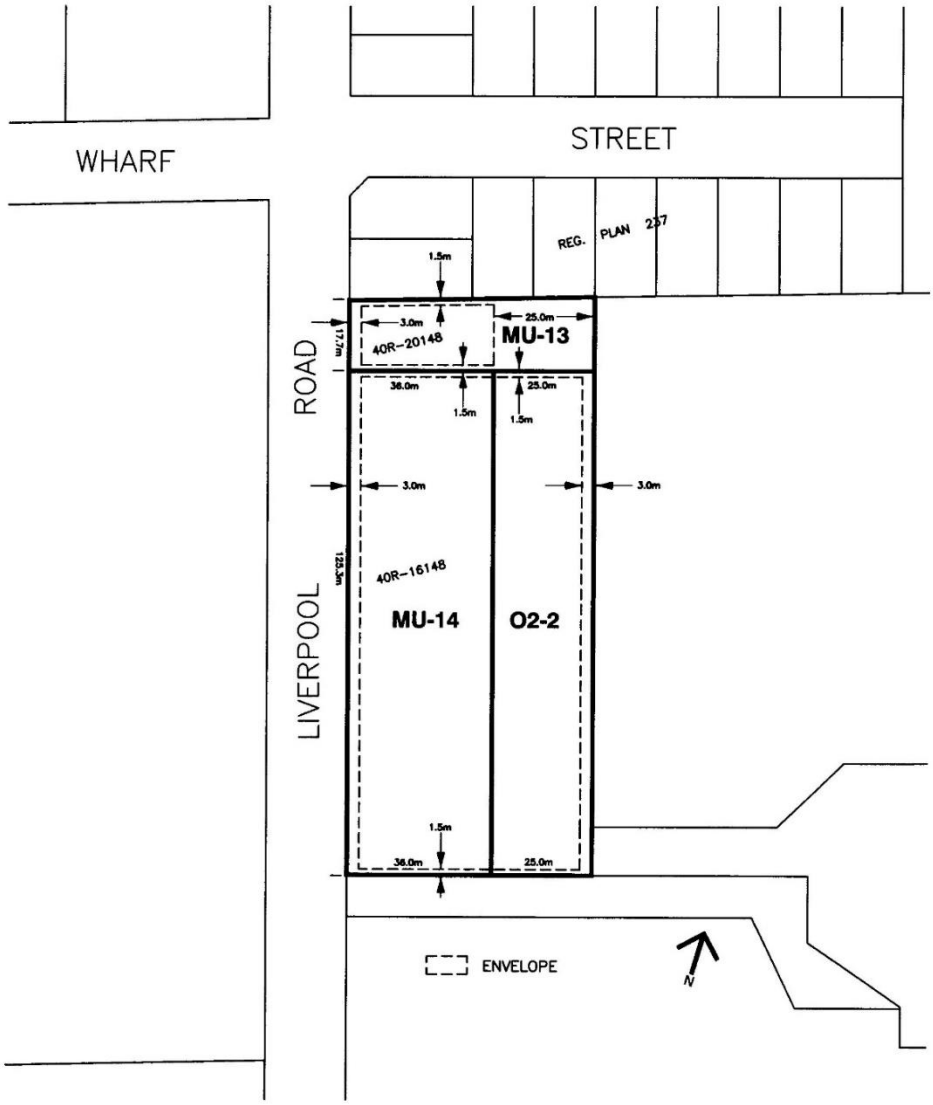
i. All vehicular parking and boat storage shall take place entirely within the envelope illustrated on Figure 1;

ii. No buildings or structures shall be erected on the lands designated “O2 2”;

iii. Despite Clause (ii) above, section 5.21.2i) of Zoning By-law 2520 shall apply to the lands designated “O2-2” within the established envelope on Figure 1;

iv. Clauses 5.21.2a) to 5.21.2f) inclusive, and clause 5.21.2k), of By-law 2520, as amended, shall not apply to the lands designated “O2-2”;

3. Figure 1



SCHEDULE I TO BY-LAW 5938/02

PASSED THIS 21

DAY OF January **2002**

MAYOR

CLERK

15.101 Exception Zone 101 (By-law 6538-05)

1. Definitions

   a) "Adult Entertainment Parlour" shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   b) “Body Rub” include the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   c) “Body Rub Parlour” includes any premises or part thereof where a body rub is preformed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are preformed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   d) "Build-to-Zone" shall mean an area of land within which all or part of a building or buildings are to be located;

   e) "Business Office" shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   f) “Day Spa” shall mean a building or part of a building in which beauty and aesthetic treatments are provided, such as hair removal, make-up application, cosmetic tattooing, massage therapy, and weight loss treatments, but shall not include a body rub parlour, and shall not provide over night accommodations;

   g) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   h) “Gross Leaseable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

j) “Professional Office" shall mean a building or part of a building in which medical, or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour;

k) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public.

2. Provisions

a) Uses Permitted (“CO-DS" Zone)

No person shall, within the lands zoned "CO-DS", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. business office

ii. professional office

iii. day spa

iv. dwelling unit

b) Zone Requirements ("CO-DS" Zone)

No person shall within the lands designated "CO-DS" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Building Restrictions

A. Building Location and Setbacks:

1) Buildings and structures shall comply with the building envelope illustrated on Figure 1.

2) The build-to-zone illustrated on Figure 1 shall have located within it a building or buildings, or part of a building or buildings, which must occupy a minimum of 50% of the build-to-zone.

B. Building Height: maximum 12.0 metres

c) Parking Requirements

i. A minimum of 5 parking spaces shall be provided for every 100 square metres of gross leasable floor area or part thereof, and a minimum of 1 parking space shall be provided for any dwelling unit;

ii. Despite Clause 2(c)(i) above, a minimum of 2 spaces of the required parking must be located on the lands designated “CO DS”, while the remaining required parking spaces may be considered to be provided on the lands owned by the City of Pickering (Block AZ, Plan M-14) provided an agreement exists with the City of Pickering and the owner of the lands designated "CO-DS";

iii. Clauses 5.21.2 a) and b) of By-law 2520, as amended, shall not apply to the lands designated “CO-DS”;

iv. Despite Clauses 5.21.2 g) and 5.21.2 k) of By-law 2520, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

d) Special Regulations

i. All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display;

ii. A dwelling unit shall only be permitted if a business office, professional office, or day spa exist on the property;

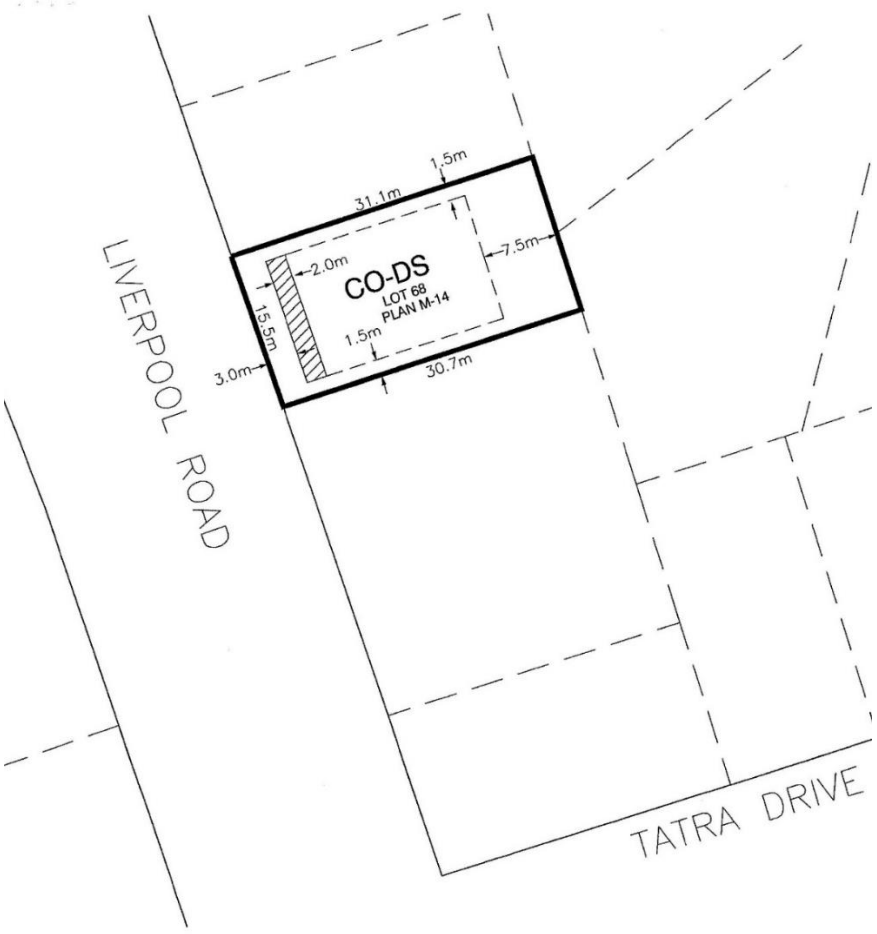
iii. Despite the provisions outlined above:

A. A day spa, as defined herein, with a maximum gross leaseable floor area of 110 square metres; a residential detached dwelling, as per Section 8.1 of By-law 2520; and, a professional office, as per Section 8.5 of By-law 2520, shall be permitted within the building existing, on the lands designated "CO-DS", on the date of passing of this by-law;

B. A minimum of 3 parking spaces shall be provided on-site for any day spa use contained within the building existing on the date of the passing of this by-law, on the lands designated "CO-DS". Clause 5.21.2 d) of By-law 2520, as amended, shall not apply;

C. The building existing on the lands designated “CO-DS”, on the date of the passing of this by-law, shall be deemed to comply with the provisions of By law 2520, as amended. Any major additions or redevelopment shall comply with the provisions set out herein.

3. Figure 1



SCHEDULE I TO BY-LAW 6538/05
PASSED THIS 20th
DAY OF June 2005

MAYOR

CLERK

15.102 Exception Zone 102 (By-law 6611-05)

1. Definitions

   a) “Body Rub” include the kneading, manipulating, rubbing, massaging, touching, or stimulating, by any means, of a person’s body or part thereof but does not include medical or therapeutic treatment given by a person otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   b) “Body Rub Parlour” includes any premises or part thereof where a body-rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body-rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   c) “Build-to-Zone” shall mean an area of land within which all or part of a building or buildings are to be located;

   d) “Business Office” shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   e) “Clinic” shall mean a building or part of a building used for the medical, dental, surgical or therapeutical treatment of human beings, but who are not provided overnight accommodation on the premises;

   f) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

   g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) “Professional Office” shall mean a building or part of a building in which medical, or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour;

i) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public.

2. Provisions

a) Uses Permitted (“CO” Zone)

No person shall, within the lands zoned “CO”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. business office

ii. professional office

b) Zone Requirements (“CO” Zone)

No person shall within the lands designated “CO” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. Building Restrictions

A. Building Location and Setbacks:

1) Buildings and structures shall comply with the minimum and maximum building envelope illustrated on Figure 1

2) A minimum of 45% of the length of the Build-to-Zone, as illustrated on Figure 1, must be occupied by a building or part of a building prior to the erection of any other buildings or structures on the subject lands.

ii. Building Height: maximum 12.0 metres

c) Parking Requirements

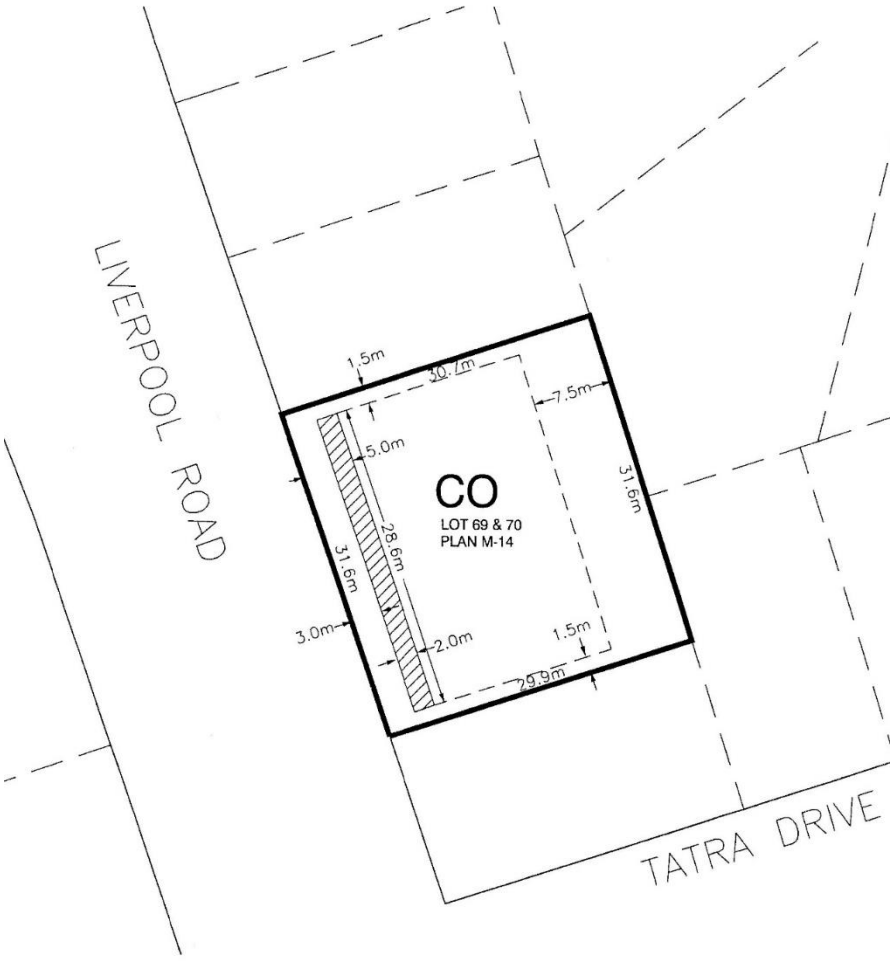
i. A minimum of 5 parking spaces shall be provided and maintained on the lot for every 100 square metres of gross leasable floor area or part thereof;

ii. Despite Clause 2(c)(i) above, a minimum of 7 spaces of the required parking must be provided on the lands designated “CO”, while the remaining required spaces may be provided on the lands owned by the City of Pickering (Block AZ, Plan M-14) provided an agreement exists between the City of Pickering and the owner of the lands designated “CO”;

iii. Clauses 5.21.2 a) and b) of By-law 2520, as amended, shall not apply on lands designated “CO”;

iv. Despite Clauses 5.21.2 g) and 5.21.2 k) of By-law 2520, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

3. Figure 1



SCHEDULE I TO BY-LAW 6611/05
PASSED THIS 19th
DAY OF December 2005

MAYOR

CLERK

15.103 Exception Zone 103 (By-law 6705-06, as amended by By-law 6786-07, By-law 7006-09, and By-law 7554-17)

1. Definitions

   a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   c) “Body Rub Parlour” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   d) "Build-to-zone" shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located;

   e) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   f) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour;

   g) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

   h) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of The Day Nurseries Act, or any successor thereto, and for the use as a facility for the daytime care of children;

   i) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry

cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

j) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

k) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

l) “Dwelling, Single Attached or Single Attached Dwelling” shall mean one of a group of not less than three adjacent dwellings attached together horizontally by an above grade common wall;

m) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

n) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

o) “Food Store” shall mean a building or part of a building in which food, produce, and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public;

p) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

q) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

r) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

s) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

t) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above-grade wall or walls;

u) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above-grade wall or walls, or an above-grade floor or floors, or both;

v) “Parking Space, Tandem” shall mean two parking spaces with one parking space located immediately behind another parking space and where both spaces are for the exclusive use of one dwelling unit.

w) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time-to-time, or any successor thereto;

x) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

y) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to-time, or any successor thereto;

z) “Restaurant - Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;

aa) “Retail Store” shall mean a building or part of a building in which goods; wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

bb) "Storey" shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

cc) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. Provisions (“RH-MU-2” Zone)

a) Uses Permitted ("RH-MU-2" Zone)

No person shall within the lands designated "RH-MU-2", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;

ii. business office;

iii. convenience store;

iv. commercial club;

v. day nursery;

vi. dry cleaning depot;

vii. financial institution;

viii. food store;

ix. laundromat;

x. multiple dwelling-horizontal;

xi. multiple dwelling-vertical;

xii. personal service shop;

xiii. professional office;

xiv. restaurant - type A;

xv. retail store;

b) Zone Requirements ("RH-MU-2" Zone)

No person shall within the lands designated "RH-MU-2" use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Height:

A. For Multiple Dwelling Vertical uses:

1) Part 1

Minimum	5 Storeys and 15 metres
Maximum	18 Storeys and 60 metres

2) Part 2

Minimum	3 Storeys and 10 metres
Maximum	25 Storeys and 78 metres

ii. Building Location and Setbacks:

A. Buildings and structures shall be located entirely within the building envelope shown on Figure 1.

B. No multiple dwelling-horizontal shall be permitted within 60 metres from the lot line that abuts Bayly Street;

C. No building, part of a building, or structure shall be erected within the "RH-MU-2" Zone, unless a minimum of 50% of the length of the build-to-zone, contains a building or part of a building;

D. Despite the building height requirements above, a two storey, 6.5 metre, building height may be permitted at the north-west corner of the property, adjacent to the intersection of St. Martins Drive and Bayly Street, as a component of the minimum five storey building;

E. No multiple dwelling horizontal uses shall be erected, unless a minimum of 50% of the length of the build to zone, as illustrated on Figure 1, contains a building or part of a building;

F. For multiple dwelling-vertical buildings located within the "RH-MU-2" Zone, and within the build-to-zone, any portion of a building or structure in excess of two storeys in height, shall be set back a minimum of 3.0 metres from the main wall of the building or structure;

G. Notwithstanding clause F above, below grade parking structures shall be permitted beyond the limits of the building envelope identified on Figure 1, but no closer than 0.5 metres from the limits of the lands;

H. The horizontal distance between multiple dwelling-horizontal buildings shall be a minimum of 1.8 metres;

I. For multiple dwelling-vertical buildings located within Part 2 of the “RH-MU-2” Zone, and within the build-to-zone, any portion of a building or structure in excess of three storeys in height shall have a maximum gross floor area per floor of 875 square metres and a minimum height of 18 storeys and the west wall of the building shall be situated a maximum of 52 metres from the lands zoned OS-HL and the south wall of the building shall be situated a maximum of 48 metres from Bayly Street.

iii. Parking Requirements:

A. There shall be provided and maintained a minimum of 3.0 parking spaces per 100 square metres of gross leasable floor area for all permitted uses listed in Section 2(a) of this By-law, except for multiple dwelling-vertical, multiple dwelling-horizontal uses. Non-resident parking shall be provided at grade, in a below grade structure, or both.

B. For multiple dwelling-vertical uses, there shall be provided and maintained a minimum of 1.0 parking space per dwelling unit for residents, and 0.15 of a parking space per dwelling unit for visitors. Parking spaces for residents shall be provided in a below grade structure;

C. For multiple dwelling-horizontal, there shall be provided and maintained a minimum of 2.0 parking spaces per dwelling unit for residents, and 0.2 of a parking space per dwelling unit for visitors. Parking spaces shall be provided at grade, in a below grade structure, or both. Parking spaces may also be provided in a private garage attached to the rear of the dwelling unit it serves;

D. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

E. At grade parking lots shall be permitted no closer than 3.0 metres from the limits of the "RH-MU-2" Zone or any road;

F. A maximum of 12 Parking Spaces, Tandem may be provided.

iv. Special Regulations:

A. Non-residential uses shall only be permitted within a building containing dwelling units. The non-residential uses shall be limited to the first two storeys of a building;

B. The minimum aggregate gross leasable floor area for all non-residential uses shall be 2,410 square metres which can be built in three phases with the first phase having a minimum of 1,300 square meters of gross leasable floor area of non-residential uses;

C. The maximum aggregate gross leasable floor area for all restaurant type “A” uses shall be 500 square metres;

D. No drive-thru facilities are permitted on the lands designated “RH-MU-2” as illustrated on Figure 1;

E. Despite the building location and setback provisions of this Exception, outdoor patios associated with a restaurant type “A” are permitted to encroach beyond the building envelope as illustrated on Figure 1;

F. Despite building location and setback provisions of this Exception, covered walkways with supporting structures, are permitted to encroach beyond the building envelope as illustrated on Figure 1;

G. Despite the provisions of this Exception, outdoor patios associated with a restaurant type “A” will not be included within the aggregate gross leasable floor area requirements of clause B above;

3. Provisions (“MD-H6” Zone)

a) Uses Permitted ("MD-H6" Zone)

No person shall within the lands designated "MD-H6", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Multiple dwelling horizontal;

b) Zone Requirements (“MD-H6” Zone)

i. Lot Area (minimum): 70 square metres

ii. Lot Frontage (minimum): 6.0 metres

iii. Front Yard Depth (minimum): 3.0 metres

iv. Side Yard Width (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together;

v. Building Height (maximum): 12.0 metres

vi. Gross floor area (minimum): 100 square metres per dwelling unit

vii. Building Separation: Despite clause iv. above, a minimum 1.8 metre separation between blocks of multiple dwelling horizontal shall be permitted;

viii. Parking Requirements:

A. For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which may not be located within a driveway, and one of which must be provided within an attached garage of the dwelling, any vehicular entrance of which shall be located less than 6.0 metres from any street or drive aisle providing access to those lots, plus a minimum of 0.2 visitor parking spaces per unit.

4. Provisions (“SA-8” Zone)

a) Uses Permitted ("SA-8" Zone)

No person shall within the lands designated "SA-8", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Single attached dwelling;

b) Zone Requirements (“SA-8” Zone)

i. Lot Area (minimum): 100 square metres

ii. Lot Frontage (minimum): 4.8 metres

iii. Front Yard Depth (minimum): 3.0 metres

iv. Rear Yard Depth (minimum): 5.0 metres

v. Side Yard Width (minimum):

A. 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together.

B. Despite clause A, a minimum interior side yard of 0.6 metres is required adjacent to an Open Space Zone;

vi. Building Height (maximum): 12.0 metres

vii. Gross floor area (minimum): 100 square metres per dwelling unit

viii. Obstruction of Yards:

A. Despite Section 5.8(b) of By-law 2520, covered and unenclosed porches, verandahs and flankage entrance features not exceeding 1.5 metres in height above the established grade may project no more than:

1) 2.0 metres into any required front or rear yard; and

2) 0.6 metres into any required side yard;

ix. Parking Requirements:

A. for each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which may be located within a driveway, and one of which must be provided within an attached garage of the dwelling, any vehicular entrance of which shall be located not less than 6.0 metres from any street or drive aisle providing access to those lots, plus a minimum of 0.2 visitor parking spaces per unit;

x. Special Regulations:

A. No more than 8 units shall be attached horizontally;

B. Despite Section 4(b)(v) a minimum 1.8 metre separation between blocks of single attached dwellings shall be permitted.

5. Provisions (“SA-LW” Zone)

a) Uses Permitted ("SA-LW" Zone)

No person shall within the lands designated "SA-LW ", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. single attached dwelling;

ii. business office;

iii. commercial school;

iv. personal service shop;

v. professional office;

vi. retail store;

b) Zone Requirements (“SA-LW” Zone)

i. Lot Area (minimum): 125 square metres

ii. Lot Frontage (minimum): 4.9 metres

iii. Unit Width (minimum): 4.9 metres

iv. Front Yard Depth (minimum): 3.0 metres

A. Despite clause iv. above, front yard balconies, verandahs and decks, both uncovered and covered, may project fully into any required front or side yard;

v. Side Yard Width (minimum): 0.6 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together;

vi. Building Height (maximum): 12.0 metres

vii. Gross floor area (minimum): 100 square metres per dwelling unit

viii. Parking Requirements:

A. For each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which may be located within a rear yard, and one of which must be provided within an attached garage located to the rear of the dwelling, any vehicular entrance of which shall be located not less than 6.0 metres from any street or drive aisle providing access to those lots, plus a minimum of 0.2 visitor parking spaces per unit;

B. Clauses 5.21.1 a) to 5.21.2 f), inclusive of By-law 2520, as amended, shall not apply to the lands designated “SA-LW”;

ix. Special Regulations:

A. Despite the permitted uses of the “SA-LW” zone, non-residential uses permitted within the “SA-LW” zone designation may be established only within the ground floor of a dwelling unit;

B. No driveway access from St. Martins Drive for individual dwelling units shall be permitted;

C. Despite Section 2.46 of By-law 2520, St. Martins Drive shall be considered as the front lot line;

D. Despite the lot and building requirements of the “SA-LW” zone, a minimum 1.8 metre separation between blocks of single attached dwellings shall be permitted.

6. General Provisions (”RH-MU-2”, “SA-LW”, “SA-8”, “MD-H6” Zones)

a) For residential uses, the lands designated ”RH-MU-2”, “SA-LW”, “SA-8”, “MD-H6””, shall be developed at a density of over 140 units per net hectare and up to and including 225 units per net hectare up to a maximum of 760 units;

b) Despite any other provision of this By-law, a maximum of 85 percent of the single attached dwellings and/or multiple dwellings horizontal, as shown on a City approved site plan may be permitted until such time as a minimum of 2000 square metres of gross leasable floor area for uses permitted by this exception zone, on lands zoned ”RH-MU-2” has been constructed;

c) Despite the requirements of this zone, the requirement for frontage on a public street shall be satisfied by establishing frontage on a common elements condominium street;

d) All visitor parking spaces that are required for multiple dwelling-horizontal for each zone may be provided within any of the lands designated “RH-MU-2”, “SA-LW”, “SA-8”, and “MD-H6”;

e) That the internal zone lines separating the residential zone categories shall be deemed to be the center line of the internal private road;

f) Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By law 2520, as amended, shall not apply to lands designated ”RH-MU-2”, “SA-LW”, “SA-8”, “MD-H6”.

g) Definitions and subject matters not specifically dealt with in this By-law shall be governed by relevant provisions of By-law 2520, as amended.

7. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands designated “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

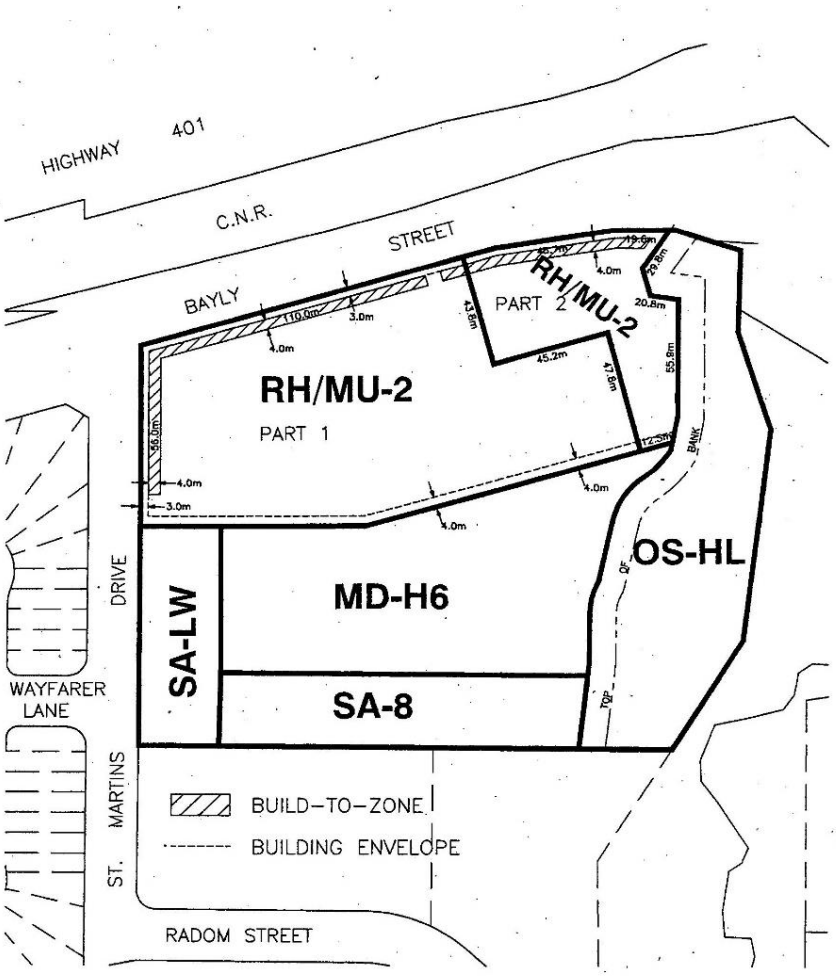
iii. pedestrian trails and walkways;

b) Zone Requirements (“OS-HL” Zone)

i. No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes;

ii. Despite Clause (a) above, tot lots, visitor parking spaces and associated traffic aisles are permitted within the “OS-HL” Zone.

8. Figure 1



SCHEDULE II TO BY-LAW 6705/06
AMENDED BY BY-LAW 6786/07
AMENDED BY BY-LAW 7006/09
AMENDED BY BY-LAW 7554/17
PASSED THIS 11th
DAY OF April 2017

MAYOR

CITY CLERK

15.104 Exception Zone 104 (By-law 7528-16)

1. Definitions

   a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

   b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   c) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

   d) “Condominium, Common Element” means spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways, and parking and amenity areas.

   e) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

   f) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   g) “Dwelling, Detached” means a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   h) “Dwelling, Multiple – Horizontal” means a building containing three or more dwelling units attached horizontally by an above-grade wall or walls;

   i) “Dwelling Unit” means one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   j) “Floor Area – Residential” means the area of the floor surface contained within the outside walls of a storey or part of a storey.

   k) “Gross Floor Area – Residential” means the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

   l) “Height, Dwelling” means the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof

the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

m) “Lands, Subject” means the lands subject of this by-law.

n) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

o) “Lot Area” means the total horizontal area within the lot lines of a lot;

p) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

q) “Lot, Through” means a lot bounded on opposite sides by a street.

r) “Parapet Wall” means the portion of an exterior wall extending above the roof.

s) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

t) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

u) “Street” means a right-of-way or roadway that is used by vehicles and includes a public highway and a private street within a condominium.

v) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a private right-of-way over private property, that provides access to lots abutting the private street;

but is not maintained by a public body and is not a lane.

w) “Wall, Front” means the wall of the dwelling closest to the front lot line.

x) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

y) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied

above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

z) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

aa) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

bb) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

cc) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

dd) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

ee) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

ff) “Flankage Side Yard” means a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

gg) “Flankage Side Yard Width” means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted (“S2-17”, “MD-H12” and “MD-H13” Zones)

i. No person shall within the lands zoned “S2-17”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

A. Detached Dwelling

ii. No person shall within the lands zoned “MD-H12” and “MD-H13”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

A. Multiple Dwelling – Horizontal

b) Zone Requirements (“S2-17”, “MD-H12” and MD-H13” Zones)

No person shall within the lands zoned “S2-17”, “MD-H12” and MD-H13”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

		“S2-17” Zone	“MD-H12” Zone	“MD-H13” Zone
(a)	Number of Dwelling Units (maximum)	57 dwelling units		
(b)	Lot Frontage (minimum)	13.2 metres	6.0 metres	
(c)	Lot Area (minimum)	350 square metres	150 square metres	
(d)	Front Yard Depth (minimum)	4.5 metres		
(e)	Side Yard Depth (minimum)	1.2 metres	1.5 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	
(f)	Rear Yard Depth (minimum)	7.5 metres	7.5 metres	6.0 metres
(g)	Flankage Yard Depth (minimum)	not applicable	2.7 metres	
(h)	Building Height (maximum)	9.0 metres	12.0 metres	
(i)	Driveway Width (maximum)	6.0 metres	3.7 metres	
(j)	Parking Requirements (minimum)	4.0 parking spaces per dwelling unit	2.0 parking spaces per dwelling unit	
(k)	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit		
(l)	Garage Requirements	Minimum 1 private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the common element condominium street		

		“S2-17” Zone	“MD-H12” Zone	“MD-H13” Zone
(m)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 5.5 metres and a minimum depth of 6.0 metres provided, however, the width may include 1 interior step and the depth may include 2 interior steps	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include 1 interior step and the depth may include 2 interior steps	

3. Special Provisions

a) Special Provisions (“S2-17”, “MD-H12” and “MD-H13” Zones)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 metres or half the distance of the required yard, whichever is less;

ii. A porch, uncovered deck or balcony may encroach into any required front yard to a maximum of 2.0 metres or half the distance of the required yard, whichever is less;

iii. A porch, uncovered deck or balcony may encroach into any required flankage yard to a maximum of 2.0 metres;

iv. A porch or uncovered deck may encroach into any required rear yard to a maximum of 2.0 metres;

v. Stairs to a porch or uncovered deck may encroach to within 0.3 metres of the front lot line or flankage lot line; to within 1.0 metres of a rear lot line; and to within 0.6 metres of a side lot line;

vi. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 metres or half the distance of the required yard, whichever is less;

vii. Air conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units shall not be located any closer than 0.6 metres to a side lot line and shall not be located on any easement in favour of the City;

viii. A balcony located above the first floor projecting or inset in the rear wall of a building on lands zoned “S2-17” are prohibited;

ix. Outdoor Private Amenity Area for lands zoned “MD-H13”:

A. a minimum of 14 square metres of outdoor private amenity area shall be provided on the balcony above the garage and located at the rear of the dwelling unit;

B. accessory structures such as pergolas, sheds or other similar structures shall not be permitted on the balcony above the garage at the rear of the dwelling unit;

C. the outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

b) Special Regulations (“S2-17”, “MD-H12” and “MD-H13” Zones)

i. Despite the provisions of Section 5.6 of By-law 2520, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the lands;

ii. Despite clause (i) above, the lot line abutting Liverpool Road shall be deemed to be the Front Lot Line for the lands Zoned “MD H13”;

iii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “MD H12” zone use provisions and zone requirements;

iv. Section 6.3 of By-law 2520, as amended, shall not apply to the lands zoned “S2-17”, “MD-H12” and “MD-H13”;

v. Section 6.6a)(iv) of By-law 2520, as amended, shall not apply to the lands zoned “MD-H13”;

vi. Sections 5.20 and 6.5 of By-law 2520, as amended, shall not apply to the lands zoned “MD-H12” and “MD-H13”.

4. Section 37 Provisions

a) An indexed cash contribution of $275,000.00 to be paid to the City prior to site plan approval, to be allocated towards capital improvements to the Frenchman’s Bay Ratepayers Memorial Park;

b) The cash contribution identified in Section 3(a) of this By-law shall be indexed in accordance with the most current Statistics Canada Non Residential Construction Price Index reported quarterly by Statistics Canada, calculated from the date of passing of this by-law to the date of payment by the owner;

c) In the event the cash contribution referred to in Section 3(a) of this By-law has not been used for the intended purposes within 3 years of the By-law coming into force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Director, City Development, in consultation with the Ward Councillor(s), provided that the purposes will benefit the community in the vicinity of the lands;

d) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the increase in density of the development is permitted beyond that otherwise permitted on the subject lands in return for the provision by the owner, at the owner's expense of the facilities, services and matters set out in Section 3(a) of this By-law and which are secured by one or more agreements pursuant to Subsection 37(3) of the Planning Act that are in a form and registered on title to the lands, to the satisfaction of the City Solicitor;

e) The owner shall not use, or permit the use of, a building or structure erected with an increase in density pursuant to this By-law unless all provisions and obligations in this By-law are met; and

f) Despite the requirements of the Exception zone, an additional 10 dwelling units are permitted upon execution and registration on title of a Section 37 agreement pursuant to clause d) above.

15.105 Exception Zone 105 (By-law 8135/24)

1. Definitions

   a) “Amenity Space” means the total passive or active recreational area provided on a lot for the personal, shared or communal use of the residents of a building or buildings, and includes balconies, patios, rooftop gardens and other similar features, but does not include indoor laundry or locker facilities.

   b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

   c) “Bay Window” means a window with at least three panels set at different angles to create a projection from the outer wall of a building, and includes a bow window.

   d) “Block” means all land fronting on one side of a street between the nearest streets, intersecting, meeting or crossing said street.

   e) “Build-to-Zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located.

   f) “Building” means a structure occupying an area greater than 10 square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

   g) “Building, Main” means a building in which is carried on the principal purpose for which the lot is used.

   h) “Daylight Triangle” means an area free of buildings, structures, fences and hedges up to 0.9 metres in height and which area is to be determined by measuring, from the point of intersection of street lines on a corner lot, the distance required by this By-law along each such street line and joining such points with a straight line. The triangular-shaped land between the intersecting street lines and the straight line joining the points the required distance along the street lines is the daylight triangle.

   i) “Development Agreement” means an executed contract between a developer/property owner and the City of Pickering that is required in order to implement development and may include a subdivision agreement, site plan agreement, or other similar agreements for development.

   j) “Dwelling” includes:

      i. “Accessory Dwelling Unit” means a separate dwelling unit subsidiary to and located in the same building as an associated principal dwelling

unit; and its creation does not result in the creation of a semi-detached dwelling, duplex dwelling, three-unit dwelling or converted dwelling.

ii. “Apartment Dwelling” means a residential use building containing four or more principal dwelling units where the units are connected by a common corridor or vestibule, other than a townhouse dwelling or stacked dwelling.

iii. “Back-to-Back Townhouse Dwelling” means a residential use building containing four or more attached principal dwelling units divided vertically where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front yard or exterior side yard.

iv. “Block Townhouse Dwelling” means a residential use building containing three or more attached principal dwelling units divided vertically, and where all dwelling units are located on one lot and accessed from a private street, laneway or common condominium aisle.

v. “Dwelling Unit” means a residential unit that:

A. consists of a self-contained set of rooms located in a building or structure;

B. is used or intended for use as a residential premise;

C. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

D. is not a mobile home or any vehicle.

k) “Existing” means existing as of the date of the enactment of the provision that contains that word.

l) “Floor Area” means the total area of all floors of a building within the outside walls.

m) “Floor Area, Net” means the total area of all floors of a building measured from the interior faces of the exterior walls or demising walls, but does not include the following areas:

i. Motor vehicle parking and bicycle parking below established grade;

ii. Motor vehicle parking and bicycle parking at or above established grade;

iii. Loading spaces and related corridors used for loading purposes;

iv. Rooms for storage, storage lockers, washrooms, electrical, utility, mechanical and ventilation;

v. Indoor amenity space required by this By-law;

vi. Elevator, garbage and ventilating shafts;

vii. Mechanical penthouse; and

viii. Stairwells in the building.

n) “Floor Space Index” means the total net floor area of all buildings on a lot divided by the total area of the lot.

o) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

p) “Gross Floor Area” means the total area of each floor whether located above, at or below grade, measured between the exterior faces of the exterior walls of the building at each floor level but excluding any porch, veranda, cellar, mechanical room or penthouse, or areas dedicated to parking within the building. For the purposes of this definition, the walls of an inner court shall be deemed to be exterior walls.

q) “Gross Leasable Floor Area” means the total floor area designed for tenant occupancy and exclusive use, including basements, mezzanines and upper floor areas if any; expressed in square metres and measured from the centre line of joint partitions and from outside wall faces.

r) “Ground Floor” means the floor of a building at or first above grade.

s) “Ground Floor Area” means the gross floor area only on the ground floor.

t) “Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. When the regulation establishes height in storeys, means the number of storeys. The height requirements of this By-law shall not apply to rooftop mechanical penthouses.

u) “Landscaped Area” means an outdoor area on a lot comprising trees, plants, decorative stonework, retaining walls, walkways, or other landscape or architectural elements, excluding aisles and areas for loading, parking or storing of vehicles.

v) “Lane” means a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a government authority.

w) “Loading Space” means an unobstructed area of land which is provided and maintained upon the same lot or lots upon which the principal use is located and which area is provided for the temporary parking of one commercial motor vehicle while merchandise or materials are being loaded or unloaded from such vehicles.

x) “Lot” means a parcel of land fronting on a street, whether or not occupied by a building or structure.

y) “Lot Area” means the total horizontal area of a lot.

z) “Lot Line” means a line delineating any boundary of a lot.

aa) “Main Wall” means a primary exterior front, rear or side wall of a building, not including permitted projections.

bb) “Park, Private” means an area of land not under the jurisdiction of a public authority that is designed or maintained for active or passive recreational purposes.

cc) “Parking Area” means one or more parking spaces, including related aisles, for the parking or storage of vehicles.

dd) “Parking Garage” means a building, or part thereof, used for the parking of vehicles and may include any permitted use in the first storey, but shall not include any area where vehicles for sale or repair are kept or stored. A parking garage includes underground parking and a parking structure.

ee) “Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.

ff) “Parking Space” means an unobstructed area of land that is accessible by an aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one motor vehicle.

gg) “Parking Space, Bicycle” means an area used exclusively for parking or storing a bicycle.

hh) “Parking Structure” means a building or portion thereof, containing one or more parking spaces.

ii) “Patio” means an outdoor area where seating accommodation can be provided and/or where meals or refreshments are served to the public for consumption.

jj) “Podium” means the base of a building, structure or part thereof located at or above established grade that projects from the tower portion of the building.

kk) “Point Tower” means a compact and slender building form.

ll) “Porch” means a roofed deck or portico structure with direct access to the ground that is attached to the exterior wall of a building.

mm) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.

nn) “Primary Entrance Door” means the principal entrance by which the public enters or exits a building or individual retail/commercial unit or the resident enters or exits a dwelling unit.

oo) “Primary Window” means all windows except bathroom, hallway, closet or kitchen windows.

pp) “Setback” means the distance between a building and a lot line. In calculating the setback the horizontal distance from the respective lot line shall be used.

qq) “Storey” means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

rr) “Storey, First” means the storey with its floor closest to grade and its ceiling more than 1.8 metres above grade.

ss) “Street” means a public highway but does not include a lane or a King’s Highway (Highway 401). Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the Municipal Act.

tt) “Street Line” means the dividing line between a lot and a street.

uu) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units; and

iv. a private right-of-way over private property, that affords access to lots abutting a private road, but is not maintained by a public body and is not a lane.

vv) “Structure” means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below six feet in height or in-ground swimming pools.

ww) “Tower” means the storeys within that portion of a building or structure or part thereof located above the podium.

xx) “Tower Floor Plate” means the average floor area of all storeys within that portion of a building or structure or part thereof located above the podium, measured to the exterior faces of exterior walls of each storey of a building or structure.

yy) “Uncovered Platform” means an attached or freestanding structure not covered by a roof, which is located on the same level as or lower than the first storey of the building associated with the platform.

2. Permitted Uses and Zone Regulations

a) Permitted Uses (“RHII-6” Zone)

No person shall within the lands zoned “RHII-6”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Apartment Dwelling

b) Permitted Uses (“RMI-7” Zone)

No person shall within the lands zoned “RMI-7”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Block Townhouse Dwelling

ii. Back-to-Back Townhouse Dwelling

c) Zone Regulations (“RHII-6” & “RMI-7” Zone)

No person shall within the lands zoned “RHII-6” & “RMI-7”, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

	“RHII-6”	**“RMI-7”**
a) Floor Space Index (FSI)	i) the area zoned “RHII-6”, “RMI-7” and “OS-PP” shall be the extent of lands for the purposes of calculating FSI ii) minimum FSI – 0.75 iii) maximum FSI – 2.02	
b) Number of Dwelling Units	i) minimum 74 units	

	"RHII-6"	"RMI-7"
	ii) maximum 372 units	
c) Building Height	i) the maximum height of a building is specified by the number following the HT symbol as shown on Figure 2 ii) notwithstanding section 2 c) c) i) above, enclosed stairwells providing roof access may exceed the maximum building height as shown on Figure 2 to a maximum of 2.7 metres	
d) Building Location and Setbacks	i) no building or part of a building, or structure shall be erected outside of a building envelope, as shown on Figure 1 ii) no building or portion of a building or structure shall be erected within the building envelope, unless a minimum of 80 percent of the entire length of the build-to-zone, as shown on Figure 1, contains a continuous portion of the exterior wall of a building iii) notwithstanding section 2 c) d) i) above, buildings or portions of buildings not exceeding 4.5 metres in height and used solely for stairwell access to an underground parking garage or waste collection are permitted to be located beyond the building envelope, provided such buildings are setback a minimum of 7.0 metres from all lots lines	
e) Setback for Below Grade Parking Structures	i) minimum – 0.0 metres ii) notwithstanding Section 2 c) e) i) above, a minimum setback of 1.5 metres shall be provided from a lot line abutting a "S4-11" zone	
f) Podium Requirements	i) minimum height of podium – 10.5 metres (3-storeys) ii) maximum height of podium – 13.5 metres (4-storeys)	Nil
g) Tower Floor Plate	i) maximum tower floor plate for a building greater than 37.5 metres in height – 810 square metres ii) notwithstanding Section 2 c) g) i) above, balconies shall be excluded from the calculation of tower floor plate	Nil

	"RHII-6"	"RMI-7"
h) Parking Requirements	i) 1.0 parking space per dwelling unit	i) 2.0 parking spaces per dwelling unit
i) Visitor Parking Requirements	i) 0.25 of a parking space per dwelling unit	
j) Private Amenity Requirements	i) a minimum of one balcony, deck or private patio shall be provided for each dwelling unit ii) minimum area – 3.0 square metres	i) a minimum of one balcony, deck, or rooftop patio shall be provided for each back-to-back townhouse dwelling unit, which shall have a minimum area of 4.5 square metres
k) Common Amenity Space Requirements	i) minimum – 2.0 square metres of indoor amenity space per dwelling unit ii) minimum – 2.0 square metres of outdoor amenity space per dwelling unit (a minimum contiguous area of 40.0 square metres must be provided in a common location) iii) lands zoned "OS-PP", are permitted to contribute to the common amenity space requirement outlined under Section 2 c) k) ii) above	
l) Landscaped Area	i) minimum – 10 percent of land area ii) the area zoned "RHII-6" and "RMI-7" shall be the extent of lands for the purpose of calculating landscaped area	

d) Permitted Uses ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife; and

ii. resource management.

e) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

f) Permitted Uses (“OS-PP”)

No person shall within the lands designated use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Private Park

3. Special Provisions (“RHII-6” & “RMI-7” Zones)

a) Sections 5.21.1, 5.21.2(a), 5.21.2(b), 5.21.2(d), 5.21.2(e), 5.21.2(f), 5.22 and 6.4 of By-law 3036, as amended, shall not apply to the lands zoned “RHII-6” and “RMI-7”.

b) A private street shall have a minimum width of 6.5 metres.

c) Waste shall be stored within a fully enclosed building, structure or partially underground structure.

d) Air Conditioners are not permitted to be located between a building and a street, however are permitted to be located on a balcony or roof or on a private patio at or below grade.

e) Permitted Encroachments

No part of the building envelope shall be obstructed except as follows:

i. Projections such as awnings, canopies, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, piers, eave troughs, and other similar architectural features may be permitted to project a maximum of 2.0 metres beyond the building envelope as illustrated on Figure 1, but shall maintain a minimum setback of 0.6 metres to a lot line.

ii. Any stairs, including to a porch or any associated landing, uncovered platform, covered platform, and any unenclosed ramp for wheelchair access may encroach beyond the building envelope no closer than 0.45 metres to a lot line.

iii. A balcony, porch, uncovered platform or covered platform may encroach beyond the building envelope to a maximum of 2.0 metres or half the distance of the required setback, whichever is less.

iv. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach beyond the building

envelope to a maximum of 0.6 metres or half the distance, whichever is less.

f) Height Exceptions

i. Notwithstanding Section 2 c) c) and f), the following building elements may exceed the maximum building heights:

A. equipment used for the functional operation of the building and structures including electrical, utility, mechanical and ventilation equipment, enclosed stairwells roof access, maintenance equipment storage, chimneys, vents, and window washing equipment;

B. architectural features, parapets, elements and structures associated with a green roof;

C. planters, landscaping features, guard rails, divider screens on a balcony and/or terrace; and

D. trellises, pergolas and unenclosed structures providing safety or wind/noise protection to rooftop amenity space.

g) Yards Abutting Daylight Triangles

Where a lot abuts a daylight triangle, the setback provisions shall be measured as if the daylight triangle did not exist, provided all buildings are setback 0.6 metres from the daylight triangle with the exception of window sills, belt courses, cornices, eaves, eave troughs and architectural elements, such as the architectural projections from the podium and canopies, which may project to within 0.3 metres of the daylight triangle.

h) Bicycle Parking Space Requirements

i. Minimum number of bicycle parking spaces:

A. 0.5 of a space per apartment dwelling unit; and

B. 1.0 space per block townhouse dwelling and back-to-back townhouse dwelling;

ii. Where the number of bicycle parking spaces exceeds 50 spaces, a minimum of 25 percent of the total required must be located within:

A. a building or structure;

B. a secure area such as a supervised parking lot or enclosure; or

C. bicycle lockers.

iii. Where four or more bicycle parking spaces are provided in a common parking area, each space must contain a parking rack that is securely anchored to the ground and attached to a heavy base such as concrete.

iv. Dimensions:

A. if located in a horizontal position (on the ground): a minimum length of 1.6 metres and a minimum width of 0.6 metres;

B. if located in a vertical position (on the wall): a minimum length of 1.5 metres and a minimum width of 0.5 metres;

C. if stacked: a minimum length of 1.5 metres and a minimum width of 0.45 metres.

i) Loading Standards

Where a loading space is provided, the following regulations apply:

i. the minimum dimensions of a loading space are 3.5 metres in width and 12.0 metres in length, with a minimum vertical clearance of 4.2 metres;

ii. a loading space shall abut the building for which the loading space is provided;

iii. an unenclosed loading space located above established grade shall be set back a minimum of 10.0 metres from a street line;

iv. an enclosed loading space located above established grade shall not be located beyond the building envelope as shown on Figure 1.

4. Special Provisions (“RMI-7” Zone)

a) Private Garage Requirements:

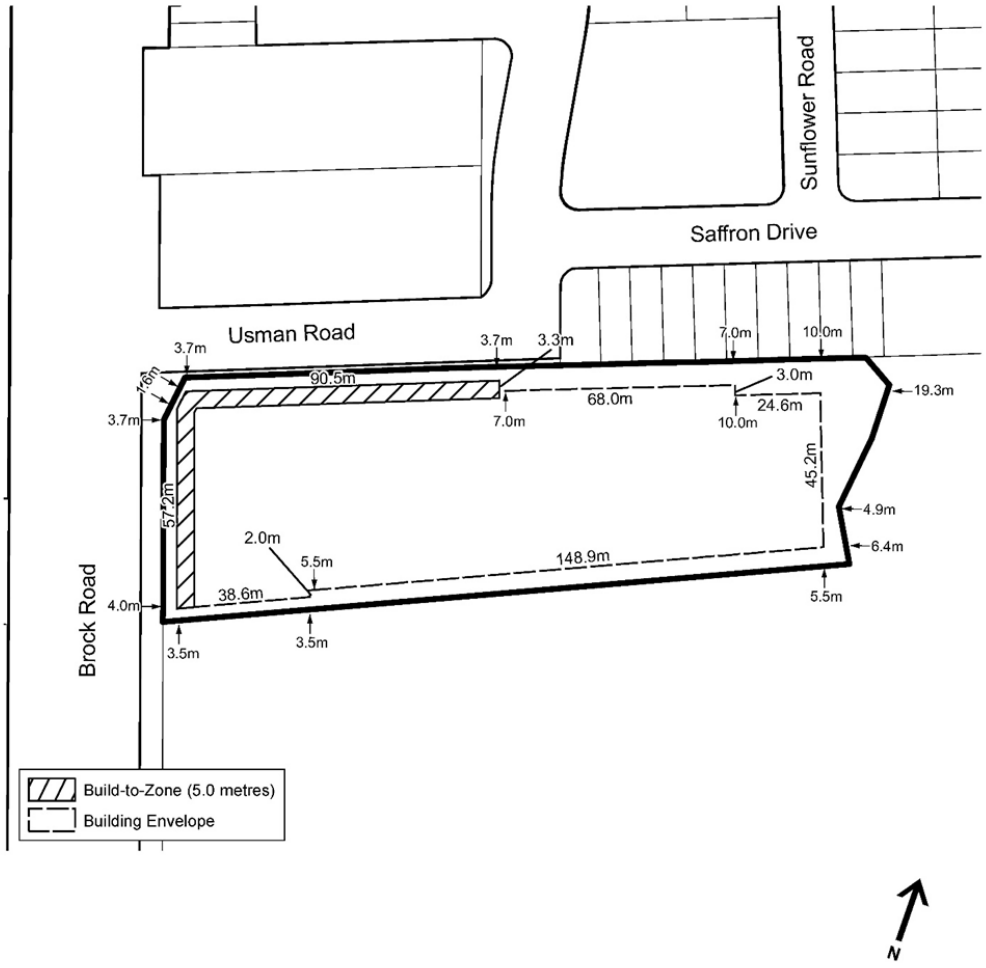
i. Minimum one private garage per block townhouse dwelling, the vehicular entrance of which shall be located not less than 6.0 metres from a private street.

ii. A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps.

b) A driveway for a block townhouse dwelling shall not exceed the width of the unit to which it provides access.

c) Rooftop private amenity space shall not be permitted for block townhouse dwellings.

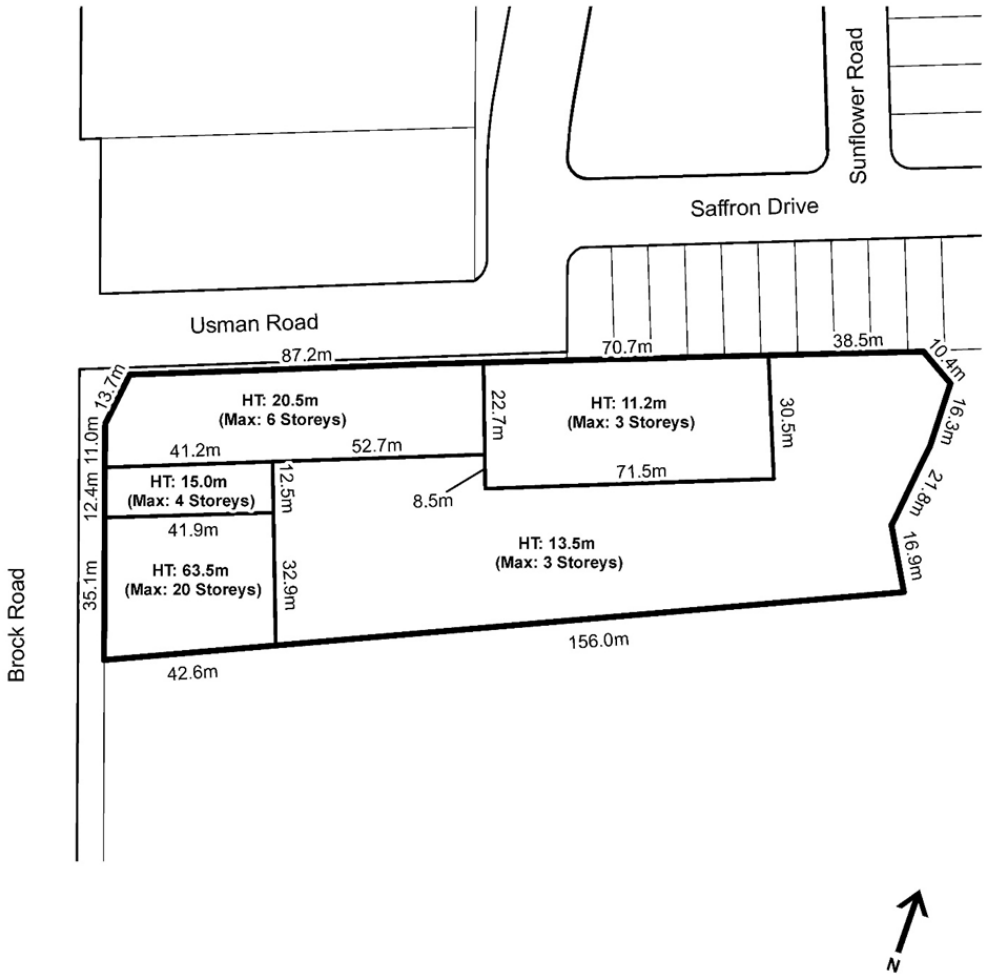
5. Figure 1



Schedule II to By-Law 8135/24

Approved by the Ontario Land Tribunal
Written Decision Tribunal issued on July 8, 2024

6. Figure 2



Schedule III to By-Law 8135/24

Approved by the Ontario Land Tribunal
Written Decision Tribunal issued on July 8, 2024

15.106 Exception Zone 106 (By-law 7086-10)

1. Definitions

a) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of the *Day Nurseries Act*, or any successor thereto, and for the use as a facility for the daytime care of children;

b) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

c) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

d) “Public School” shall mean, a school under the jurisdiction of a board of education which board is established pursuant to the Education Act R.S.O. 1990, or any successor thereto;

e) “Street” shall mean a street as defined in the Highway Traffic Act, as amended from time-to-time, which may provide vehicular access to a lot. A private road registered in a plan of condominium is also considered a street for the purpose of this by-law;

f) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

g) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

h) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

i) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

j) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

k) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;

l) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

m) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

n) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

o) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions (“CI-ES/DN”)

a) Uses Permitted (“CI-ES/DN”)

No person shall, within the lands zoned “CI-ES/DN”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. public school and uses accessory thereto; and

ii. day nursery as an accessory use to a public school.

b) Zone Requirements (“CI-ES/DN”)

No person shall, within the lands zoned (“CI-ES/DN”), use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following requirements:

i. Lot Frontage (Minimum): 150 metres

ii. Lot Area (Minimum): 3.0 hectares

iii. Front Yard Depth (Minimum): 6.0 metres

iv. Interior Side Yard Width (Minimum): 6.0 metres

v. Rear Yard Depth (Minimum): 6.0 metres

vi. Flanking Side Yard Width (Minimum): 6.0 metres

vii. Maximum Building Height: 20.0 metres

viii. Lot Coverage (Maximum): 35 percent

ix. Landscape Open Space (Minimum): 25 percent

x. Parking Requirement (Minimum): 2.5 parking spaces per classroom 3.0 spaces per 100.0 square metres of day nursery activity area 0.4 bus spaces per classroom

3. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife; and

ii. resource management.

b) Zone Requirements (“OS-HL” Zone)

i. No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.107 Exception Zone 107 (By-law 7115-11)

1. Provisions

   a) Despite the height requirement provisions of Section 5.9 of By-law 3036 and any garage setback provision of this By-law, the following provisions shall apply:

      i. Dwelling Height (maximum): 9.0 metres

      ii. Attached Garage Projection beyond Front Wall of Dwelling (maximum): 2.0 metres

15.108 Exception Zone 108 (By-law 7124-11)

1. Definitions

   a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   b) “Body Rub Parlour” includes any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

   c) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located;

   d) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   e) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour;

   f) “Commercial Music School” shall mean a school which is operated for gain or profit and contains the studio of a music teacher;

   g) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

   h) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

   i) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of *The Day Nurseries Act*, or any successor thereto, and for the use as a facility for the daytime care of children;

j) “Drug Store” shall mean a building or part of a building in which pharmaceutical prescriptions are compounded and dispensed to the public, and where medicine, medical supplies and associated merchandise, confectionary items, cosmetics, toiletries, periodicals, or similar items of day-to-day household necessity are stored, displayed and offered for retail sale;

k) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

l) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

m) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

n) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

o) “Floor Area – Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

p) “Food Store” shall mean a building or part of a building in which food, produce, and other items or merchandise of day-to-day household necessity are stored, offered or kept for retail sale to the public;

q) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

r) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

s) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

t) “Long Term Care Facility” shall mean a building or part of a building which is licensed or approved to provide health care under medical supervision in which rooms or lodging are provided in conjunction with the provision of meals, personal care, nursing services and medical care and treatment, but does not include a hospital;

u) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the

case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

v) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above-grade wall or walls, or an above-grade floor or floors, or both;

w) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the *Municipal Act, R.S.O. 1980, Chapter 302*, as amended from time-to-time, or any successor thereto;

x) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

y) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the *Municipal Act, R.S.O. 1980, Chapter 302*, as amended from time-to-time, or any successor thereto;

z) "Restaurant – Type A" shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both, but shall not include an adult entertainment parlour as defined herein;

aa) "Retail Store" shall mean a building or part of a building in which goods; wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

bb) "Retirement Home" shall mean a building or part of a building providing accommodation primarily for retired persons where each private bedroom or living unit does not include a stove top and oven, does have a separate entrance from a common hall, and where common facilities and services may be provided for the residents including personal services, the preparation and consumption of food, nursing services, common lounges, recreation rooms and ancillary support offices;

cc) "Storey" shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

dd) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. Provisions (“RH/MU-7” Zone)

a) Uses Permitted (“RH/MU-7” Zone)

No person shall within the lands zoned “RH/MU-7”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. business office;

ii. convenience store;

iii. commercial club;

iv. commercial school;

v. day nursery;

vi. drug store;

vii. dry cleaning depot;

viii. financial institution;

ix. food store;

x. laundromat;

xi. long term care facility;

xii. multiple dwelling-vertical;

xiii. personal service shop;

xiv. professional office;

xv. restaurant – type A;

xvi. retail store;

xvii. retirement home

b) Zone Requirements (“RH/MU-7” Zone)

No person shall within the lands zoned “RH/MU-7”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

A. Buildings and structures shall be located entirely within the building envelope shown on Figure 1;

B. No building located within 40 metres of the Brock Road right-of-way shall be erected within the “RH/MU-7” Zone, unless a minimum of 75 percent of the length of the west wall of the building is within the build-to-zone shown on Figure 1;

C. Notwithstanding Section 2(b)(i)(A) above, below grade parking structures shall be permitted beyond the limits of the building envelope identified on Figure 1, but no closer than 0.5 metres from the limits of the lands;

ii. Building Height:

A. Within and at 80.0 metres of Brock Road Right-of-Way:

1) Minimum 3-Storeys and 10.0 metres

2) Maximum 6-Storeys and 20.0 metres

B. Beyond 80.0 metres of Brock Road Right-of-Way:

1) Minimum 3-Storeys

2) Maximum 5-Storeys

iii. Floor Space Areas:

A. The maximum gross leasable floor area for any individual convenience store, food store, drug store, or retail store shall be 500 square metres;

B. The maximum gross leasable floor area for all non-residential uses shall be 3,200 square metres;

C. The maximum aggregate gross leasable floor area for all restaurant - type A uses shall be 500 square metres:

iv. Parking Requirements:

A. There shall be provided and maintained a minimum of 4.0 parking spaces per 100 square metres of gross leasable floor area for all permitted uses listed in Section 2(a), except for multiple dwelling-vertical, retirement home and long term care facilities. Non-resident parking shall be provided at grade, in a below grade structure, or both;

B. For multiple dwelling-vertical uses, there shall be provided and maintained a minimum of 1.0 parking space per dwelling unit for residents, and 0.25 of a parking space per dwelling unit for visitors. Parking spaces for residents shall be provided in a below grade structure, at grade or both. Visitor parking shall be provided at grade;

C. For retirement homes there shall be provided and maintained a minimum of 0.3 parking spaces per living unit for residents, and 0.05 parking spaces per living unit for visitors for retirement home uses;

D. For long term care facilities there shall be provided and maintained a minimum of 1.0 parking spaces per 3 resident beds for long term care facility use;

E. All entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

F. At grade parking lots shall be permitted no closer than 3.0 metres from the limits of the "RH/MU-7" Zone or any road;

G. Clauses 5.21.2(a), 5.21.2(b), 5.21.2(e), 5.21.2(f), 5.21.2(g), and 5.21.2(k) of By-law 3036, as amended, shall not apply to lands zoned ”RH/MU-7”.

v. Number of Dwelling Units

A. For residential uses, the lands zoned ”RH/MU-7”, shall be developed at a density of over 30 units per net hectare and up to and including 80 units per net hectare to a maximum of 97 dwelling units;

vi. Special Regulations

A. No drive-through facilities are permitted on lands zoned “RH/MU-7”;

B. Non-residential uses shall only be permitted within a building containing dwelling units and that is located within 80 metres of the Brock Road right-of-way. The non-residential uses shall be limited to the first two storeys of a building;

C. Despite Section 2(b)(i)(A), outdoor patios associated with a restaurant - type A are permitted to encroach beyond the building envelope as illustrated on Figure 1;

D. Despite Section 2(b)(i)(A), covered walkways with supporting structures, are permitted to encroach beyond the building envelope as illustrated on Figure 1;

E. Despite Section 2(b)(iii)(C), outdoor patios associated with a restaurant - type A is not considered to be gross leasable floor area;

F. For the purpose of this by-law, non-residential uses shall not include a long term care facilities or retirement homes;

3. Provisions (“(H) RH/MU-7” Zone)

a) Uses Permitted (“(H) RH/MU-7” Zone)

Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purpose other than any use as permitted by the Section 7 provisions of Rural Agricultural Zone “A” of Zoning By-law 3036.

b) Removal of the “(H)” Holding Symbol

The “(H)” Holding Symbol shall not be removed from the “RH/MU-7” zone until the completion of the following:

i. acceptance of an updated Master Environmental Servicing Plan (MESP) by the City of Pickering and the Toronto Region Conservation Authority

ii. acceptance of a Stormwater Management and Hydrogeological Report, consistent with the updated MESP, by the City of Pickering and the Toronto Region Conservation Authority

iii. acceptance of an Environmental Impact Study by the City of Pickering and the TRCA

iv. acceptance of a Noise Impact Study by the Region of Durham and the City of Pickering

v. execution and registration of a Development Agreement with the City of Pickering containing the provisions that:

A. appropriate arrangements have been made to the satisfaction of the City of Pickering that all the requirements for the development of the mixed use project have been complied with, including but not limited to the payment of the owner’s proportionate share of costs associated with the preparation of required area-wide studies, and the cost of off-site works, parkland dedication, entering into a site plan agreement, environmental and engineering requirements, securities and insurance;

B. appropriate arrangements have been made to the satisfaction of the Region of Durham for the provision of sanitary, water and transportation services and environmental and engineering requirements; and

C. appropriate arrangements have been made to the satisfaction of the Toronto Region Conservation Authority for the provision of environmental, engineering and land conveyance requirements.

4. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

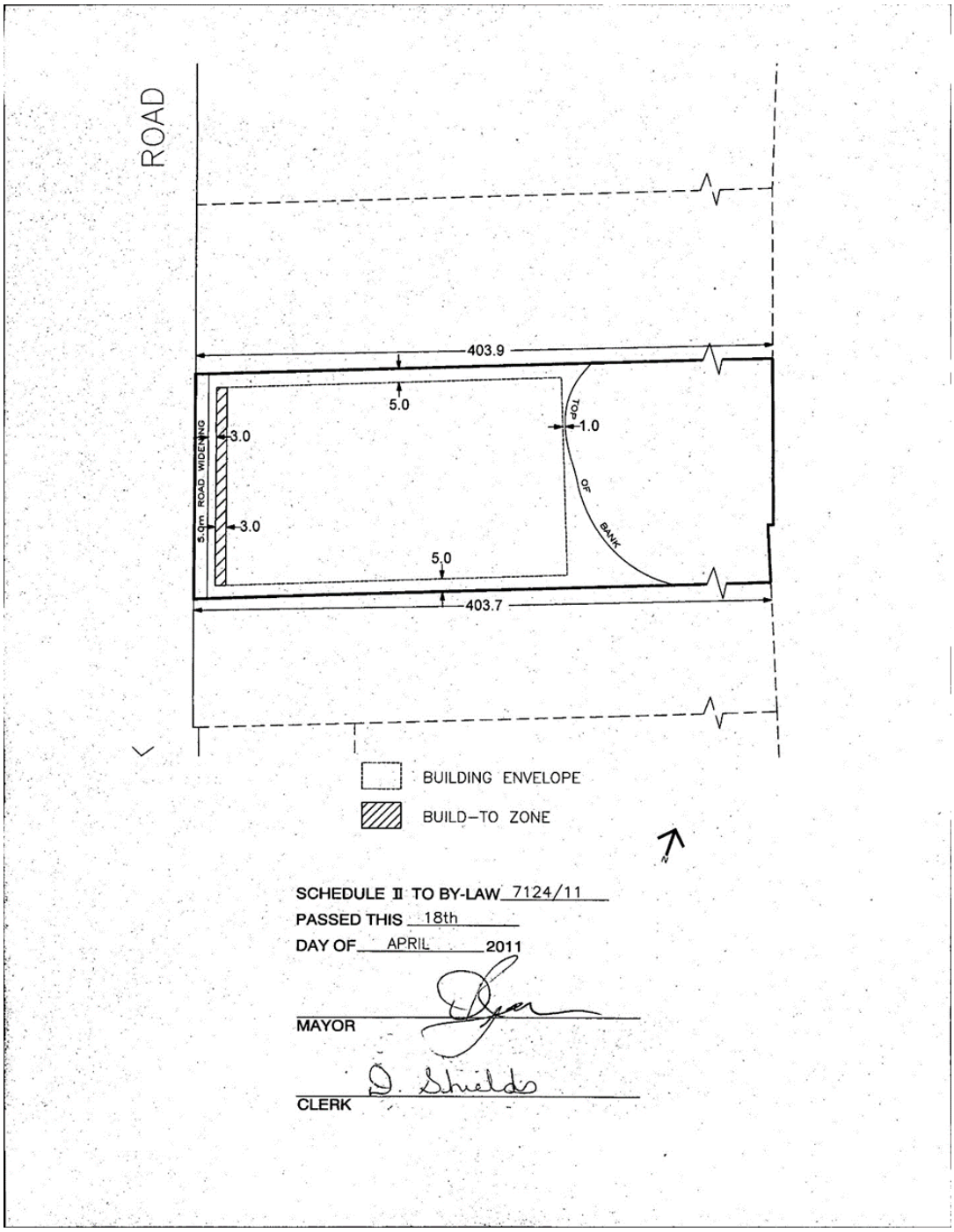
i. preservation and conservation of the natural environment, soil and wildlife; and

ii. resource management.

b) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

5. Figure 1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PASSED THIS 18th
DAY OF APRIL 2011
MAYOR
D. Shields
CLERK

15.109 Exception Zone 109 (By-law 7126-11)

1. Provisions

   Despite the obstruction of yards requirement of Section 5.7(b) of By-law 3036 and front yard requirement of Section 10.3.6(i) of By-law 3036, the minimum front yard requirement to the southerly building existing at the time of the passing of the by-law shall be 13.0 metres and the existing uncovered platform attached to the southerly existing building may project a maximum of 1.0 metre into the front yard.

15.110 Exception Zone 110 (By-law 7159-11)

1. Definitions

a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

d) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

e) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

h) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

i) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

j) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

k) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

l) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

q) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

r) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S3-12" Zone)

No person shall within the lands zoned "S3-12", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements ("S3-12" Zone)

No person shall within the lands zoned "S3-12", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 350 square metres

ii. Lot Frontage (minimum): 12.0 metres

iii. Front Yard Depth (minimum): 6.0 metres

A. despite Section 5.7(b) of By-law 3036 as amended, uncovered and covered platforms/porches attached to a main dwelling may provide a front yard depth of 4.5 metres;

iv. Interior Side Yard Width (minimum):

A. for inside lots:

1) 1.2 metres one side, 0.6 metre on the other

B. for corner lots:

1) 0.6 metres

v. Flankage Side Yard Width (minimum): 2.7 metres

vi. Rear Yard Depth (minimum): 7.5 metres

A. despite Section 5.7(b) of By-law 3036 as amended, uncovered steps and platforms less than or equal to 2.2 metres above grade and less than or equal to 3.0 metres in width may project a maximum of 2.0 metres in depth into the required rear yard;

vii. Building Height (maximum): 12.0 metres

viii. Dwelling Unit Requirements: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

ix. Parking Requirements:

A. minimum one private garage per lot attached to the main building; any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

x. Special Regulations:

A. the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres;

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey;

C. a driveway width shall not occupy more than 55 percent of the front yard width.

15.111 Exception Zone 111 (By-law 7177-11)

1. Definitions

a) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

b) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

c) “Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, but shall exclude the floor area of any parts of the building used for mechanical equipment, stairwells, elevators, and any part of the building below established grade other than that used for retail commercial or office purposes;

d) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, which may also include an outdoor patio, but excluding storage areas below established grade;

e) “Landscaped Open Area” shall mean the area on the lot free from buildings and/or structures suitable for the growth and maintenance of vegetated plants such as grass, flowers, shrubs, trees and other landscape features which may include walkways, berms, retaining walls, decorative pavers, bricks or stones and outdoor amenity areas including patios, but shall not include driveways, drive aisles, internal roads, parking areas, curbs or any exterior garbage storage or handling area;

f) “Professional Office – Non-Medical” shall mean a building or part of a building in which legal or other professional services, not including medical or dental services are performed or consultation given, and which may include the offices of an architect, a chartered accountant, an engineer, or a lawyer, but shall not include the office of medical practitioners or a body-rub parlour as defined in *The Municipal Act, R.S.O. 1990, c.M. 45,* as amended from time to time, or any successor thereto;

g) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for rent or retail sale to the public;

h) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

i) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

j) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

k) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

l) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

n) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

p) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MU-22" Zone)

No person shall within the lands zoned "MU-22", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Business Office;

ii. Commercial School

A. only permitted as accessory to a retail store, and with a maximum floor area of 150 square metres;

iii. Professional Office – Non Medical;

iv. Retail Store.

b) Zone Requirements ("MU-22" Zone)

No person shall within the lands zoned "MU-22", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Restrictions

A. Despite any other provisions of Zoning By-law 3036, the permitted uses shall only occur within the building existing as of the day of the passing of this by-law as shown on the Boundary and Topographic Survey of Part of Lot 17, Concession 1 completed by the Ontario Land Surveyor on April 21, 2011;

1) Despite Paragraph 5(2)(a)(i) above, an uncovered platform located on the southwest corner of the building not projecting beyond the most westerly exterior wall is permitted.

ii. Landscaped Open Area (minimum): 15 percent

iii. Parking Requirements

A. There shall be provided and maintained on the lot a minimum of 5.5 spaces per 100 square metres of gross leasable floor area for all uses permitted under this zone;

B. Despite Clause 5.21.2b) of By-law 3036, parking shall be set back a minimum of 1.5 metres from all internal side and rear lot lines;

C. Despite Clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all parking areas including driveway entrances and exits shall be surfaced with brick, asphalt, concrete, permeable materials, or any combination thereof.

iv. Other provisions:

A. Open storage is not permitted on lands zoned “MU-22”;

B. One garbage enclosure with a maximum gross floor area of 50 square metres is permitted in the side or rear yard only.

15.112 Exception Zone 112 (By-law 7260-13)

1. Definitions

a) "Bay, Bow, Box Window" shall mean a protrusion from the main wall of the building, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;

b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

d) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than three adjacent dwellings attached together horizontally by an above grade common wall;

e) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above-grade wall or walls;

f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MD-H7")

No person shall within the lands zoned "MD-H7”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. multiple dwelling-horizontal;

b) Zone Requirements ("MD-H7" Zone)

No person shall within the lands zoned "MD-H7", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Requirements for Multiple Dwelling-Horizontal:

A. Number of Multiple Dwelling-Horizontal Units for all lands zoned "MD-H7"(maximum): 45

B. Lot Area (minimum): 110 square metres

C. Lot Frontage (minimum): 5.5 metres

D. Front Yard Depth (minimum): 3.0 metres

E. Side Yard Width (minimum):

1) 1.5 metres, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) Despite subparagraph (1) above, a minimum 1.2 metre side yard width is required when abutting a common element amenity area and a minimum 0.2 metre side yard width is required when abutting a common element walkway area;

F. Flankage Side Yard Width (minimum):

1) 2.2 metres, where the dwellings are immediately adjacent to the vehicular entrances to a public street;

2) Despite subparagraph (1) above, a minimum 2.0 metres flankage side yard is required for dwellings that flank an internal private drive aisle and are not located immediately adjacent to the vehicular entrances to a public street;

G. Rear Yard Depth (minimum):

1) 6.0 metres, where multiple dwelling-horizontal units abut the SA-11 zone otherwise a rear yard depth minimum does not apply;

H. Building Height (maximum): 12.0 metres

I. Dwelling Unit Width (minimum): 5.5 metres

J. Building Location and Setbacks:

1) No building, part of a building, structure or part of a structure shall be erected except within the limits of the building envelope illustrated on Figure 1;

2) Despite subparagraph (1) above, buildings or structures associated with permitted mechanical, recreational, security, parking, refuse storage and other ancillary residential facilities shall be permitted beyond the limits of the building envelope but no closer than 1.2 metres to any lot line;

3) Despite subparagraph (1) above, uncovered steps, covered porches and platforms shall be permitted to project a maximum of 1.5 metres beyond the limits of the building envelope shown on Figure 1 or into a required front yard, rear yard or flanking side yard on to a public street;

4) Despite subparagraph (1) above, bay, bow or box windows may encroach a maximum of 1.0 metre into the required rear yard or front yard up to a maximum of 65 percent of the width of the dwelling unit;

5) Despite subparagraph (1) above, any front yard depth or flankage side yard width requirement on a corner lot the setback to a corner rounding shall be a minimum 1.6 metres

K. The minimum width for the driving aisle/private road shall be 6.4 metres;

L. Special Regulations:

1) Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street

2) Where a lot abuts both a common element condominium street and public street, the front lot line shall be abutting the public street and where a lot abuts more than one private road the front lot line shall be the lot line opposite the main front wall;

ii. Parking Requirements for "MD-H7" zone:

A. Minimum Parking Spaces (per dwelling unit):

1) 2 spaces, which shall be provided through either 2 spaces within an attached garage, or through one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit;

B. Minimum private garage per lot 1

C. Any vehicular entrance for a private garage shall be located a minimum of 6.0 metres from any lot line that abuts the street or private road that provides vehicle access to the private garage;

D. Garage Parking Size (minimum):

1) each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

E. Visitor Parking Spaces

1) For all lands zoned "MD-H7” a minimum of 12 visitor parking spaces shall be provided;

F. Despite clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

c) Uses Permitted ("SA-11" Zone)

No person shall within the lands zoned "SA-11", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. single attached dwelling;

d) Zone Requirements ("SA-11" Zone)

i. Requirements for Single Attached Dwelling:

A. Number of Single Attached Dwelling Units (maximum): 17

B. Building Height (maximum): 10.0 metres

C. Lot Frontage (minimum): 7.5 metres

D. Lot Area (minimum): 175 square metres

E. Front Yard Depth (minimum): 3.0 metres

F. Rear Yard Depth (minimum): 7.0 metres

G. Side yard:

1) 1.5 metres, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

H. Flankage side yard to a public street or private driveway 2.4 metres

I. Driveway Width (maximum): 50 percent of the lot frontage

J. Projections:

1) Despite Section 5.7(b) of By-law 3036 uncovered steps, covered porches and platforms shall be permitted to project a maximum of 1.5 metres into any required front yard, flanking yard or corner rounding;

2) Despite 5(2)(b)(i)E above bay, bow or box windows may encroach a maximum 1.0 metres into the required rear yard;

3) Despite Section 5.7(b) of By-law 3036 any front yard depth or flankage side yard width requirement on a corner lot the setback to a corner rounding shall be a minimum 2.7 metres to a public street;

ii. Parking Requirements for "SA-11" Zone:

A. Minimum Parking Spaces (per dwelling unit):

1) 2 spaces, which shall be provided through an attached garage, or one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit;

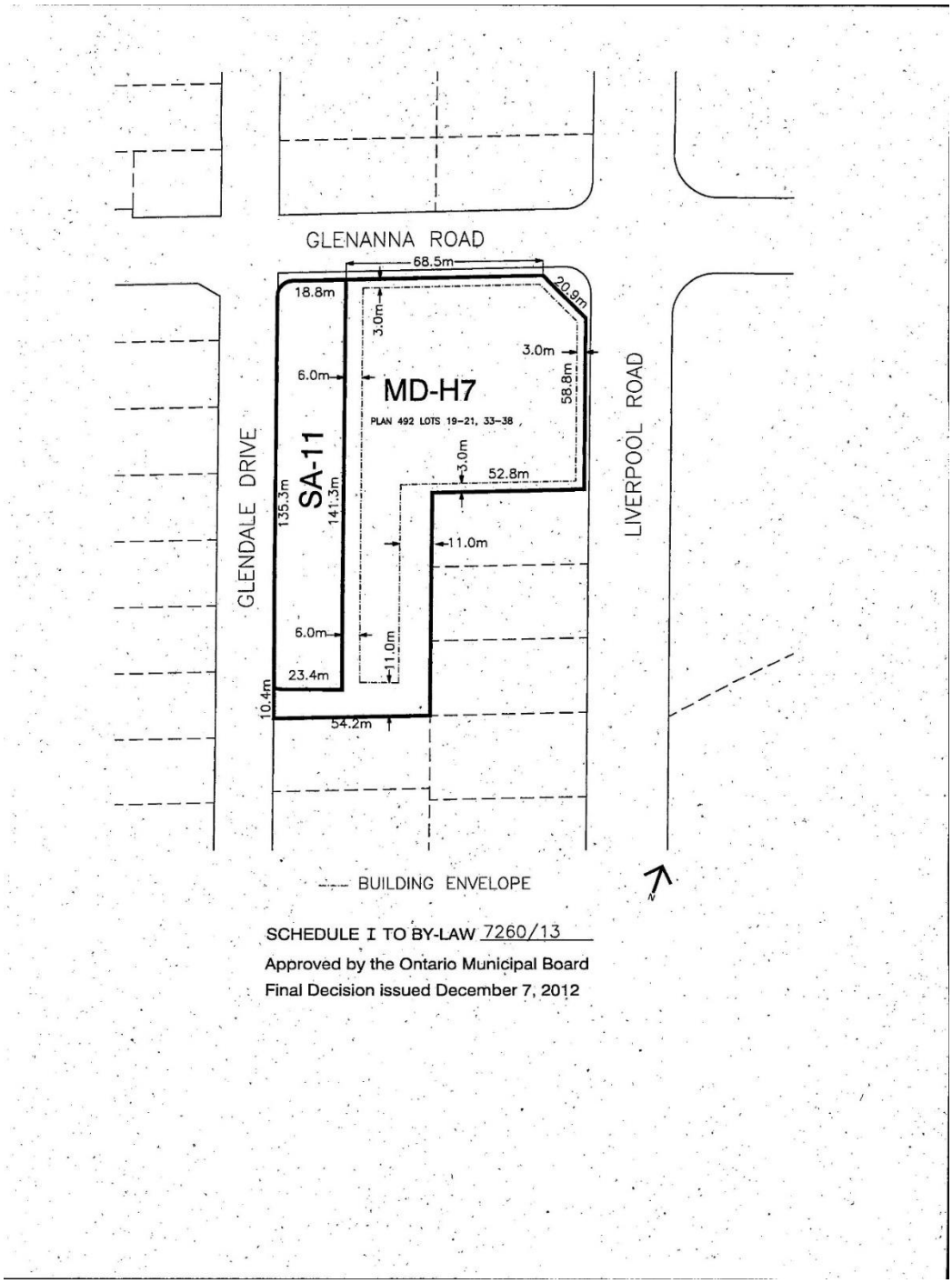
B. Minimum private garage per lot 1

1) Any vehicular entrance for a private garage shall be located a minimum of 6.0 metres from any lot line that abuts the street or private road that provides vehicle access to the private garage;

C. Garage Parking Size (minimum):

1) each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

3. Figure 1


GLENANNA ROAD
68.5m
18.8m
3.0m
20.9m
3.0m
6.0m
MD-H7
PLAN 492 LOTS 19-21, 33-38
58.8m
SA-11
3.0m
52.8m
135.3m
141.3m
GLENDALE DRIVE
LIVERPOOL ROAD
11.0m
6.0m
11.0m
23.4m
10.4m
54.2m
BUILDING ENVELOPE
N
SCHEDULE I TO BY-LAW 7260/13
Approved by the Ontario Municipal Board
Final Decision issued December 7, 2012

15.113 Exception Zone 113 (By-law 7262-13)

1. Definitions

a) “Building Height” shall mean the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. A penthouse, tower, cupola, steeple or other roof structure which is used only as an ornament upon or to house the mechanical equipment of any building shall be disregarded in calculating the height of such building;

b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

i) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

k) “Storey” shall mean that portion of a building other than a basement, cellar, attic, or below-grade parking structure, including between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“S4-10”)

No person shall within the lands zoned “S4-10”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements

No person shall within the lands zoned “S4-10” use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 450 square metres

ii. Lot Frontage (minimum): 11.0 metres

iii. Front Yard Depth (minimum): 6.0 metres

iv. Interior Side Yard (minimum): 2.0 metres

v. Rear Yard Depth (minimum): 15.0 metres

vi. Building Height (maximum): 9.0 metres

vii. Number of Storeys (maximum): 2 storeys

viii. Lot Coverage (maximum): 35 percent

ix. Parking Requirements:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street.

B. maximum garage width: 5.6 metres

C. minimum size of parking space within a private garage (the width may include one interior step and the depth may include two interior steps): 2.9 metres (width) by 6.0 metres (length)

D. maximum driveway width: 5.6 metres

x. Yard Encroachments Permitted:

A. Front Yard:

Maximum projection of uncovered/covered platforms/porches: 1.5 metres

B. Rear Yard:

Maximum projection of uncovered steps and platforms less than or equal to 1.5 metres above grade: 3.0 metres

xi. Special Regulations:

A. maximum garage projection from front wall of dwelling: 4.5 metres

B. reverse grade driveways are prohibited

C. for the purposes of this by-law, a lot line adjacent to Whites Road is deemed to be the rear lot line

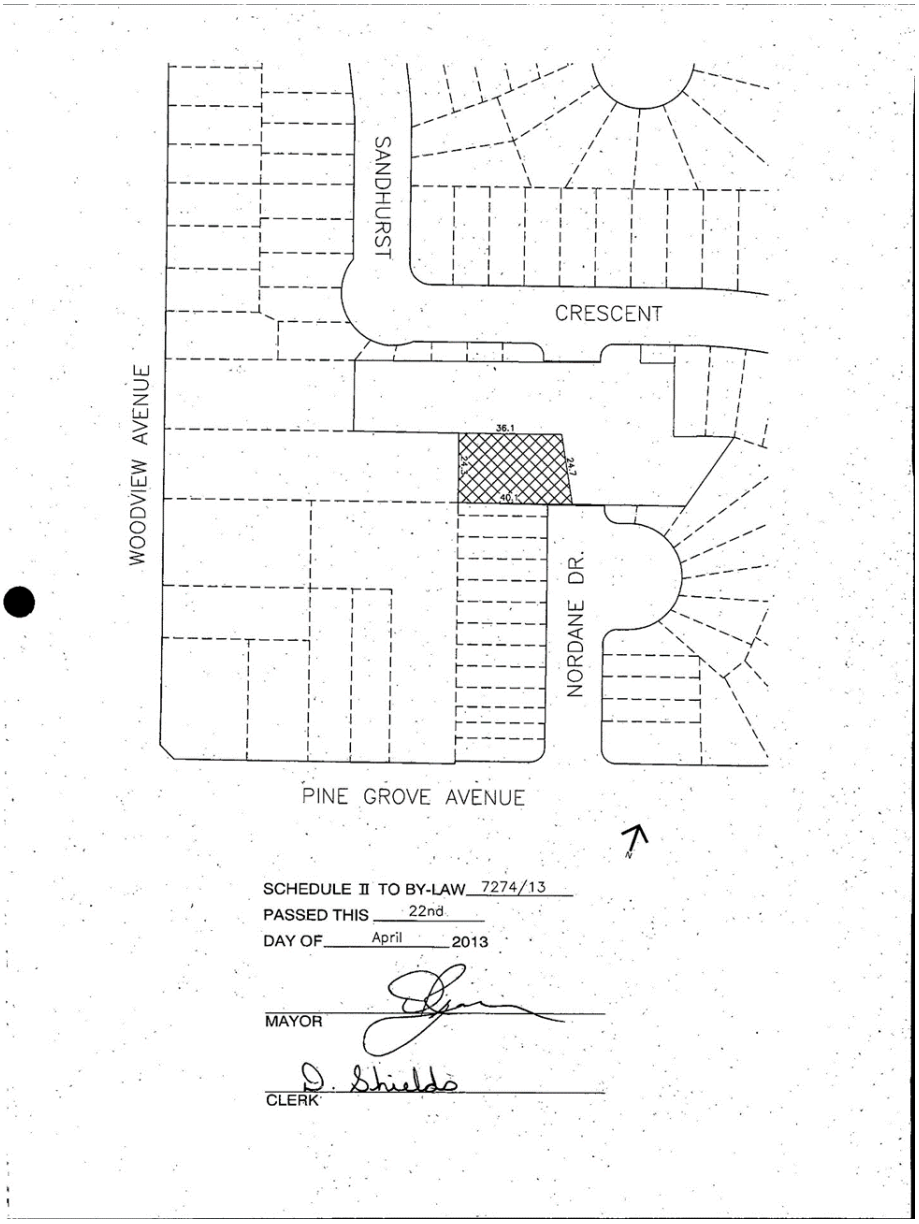
15.114 Exception Zone 114 (By-law 7274-13)

1. Provisions

   a) Despite the provisions of Section 5.14 of By-law 3036, the lot frontage for the lots shown as cross hatched on Figure 1 shall be measured at the front wall of the dwelling.

   b) Despite the definition of rear lot line of By-law 3036, the rear lot line shall be defined as the westerly lot line for those lots shown as cross hatched on Figure 1.

1. Figure 1



15.115 Exception Zone 115 (By-law 7284-13)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, may or may not include a window seat; and may include a door;

b) “Dwelling” shall mean a building or part of a building containing one or more dwelling units but does not include a mobile home or trailer;

c) “Dwelling Unit” shall mean a one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

d) “Dwelling, Detached or Detached Dwelling” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

e) “Floor Area – Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

f) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

i) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business or service is conducted for profit or otherwise.

j) “Water Meter Building” shall mean a building or structure that contain devices supplied by the Region of Durham which measures the quantity of water delivered to a property.

k) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open uncovered and

unoccupied above group except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lots;

p) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lots;

q) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted (“S3-13” Zone)

No person shall, within the lands zoned “S3-13”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements (“S3-13” Zone)

No person shall within the lands zoned “S3-13”, use any lot or erect, alter or use any building except in accordance with the following: provisions:

i. Lot Area (minimum): 350 square metres

ii. Lot Frontage (minimum):

A. 12.0 metres

B. 10.0 metres for lands shown as hatched on Figure 1

C. 8.5 metres for lands shown as cross hatched on Figure 1

D. 8.5 metres for lands shown as dashed on Figure 1

iii. Front Yard Depth (minimum):

A. 4.5 metres

B. the dashed area, as shown on Figure 1, is exempted from paragraph 2(b)(iii)(A), above

iv. Side Yard Width (minimum): 1.2 metres on one side and 0.6 on the other

v. Flankage Side yard width (minimum):

A. for lots abutting Fairport Road: 3.0 metres

B. for all other lots: 2.7 metres

vi. Rear Yard Depth (minimum): 7.5 metres

vii. Building Height (maximum):

A. 10.0 metres

B. 9.0 metres for lots abutting Fairport Road and abutting any existing residential lots on adjacent lands, as of the date of the passing of this by-law

viii. Lot Coverage (maximum): 38 percent

ix. Dwelling Unit Requirement: maximum one dwelling per lot and minimum gross floor area residential of 100 square metres;

x. Garage Requirements:

minimum one private garage per lot attached to the main building and vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of the street

xi. Garage Projection (maximum):

A. 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit

B. despite clause (2)(b)(xi)(A), above, garage projection requirements are exempted for those lots shown in the cross hatched on Figure 1

xii. Obstruction of Yards (maximum):

A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard and minimum flankage side yard

B. for lots abutting the OS-HL zone, any uncovered decks, platforms and steps not exceeding 3.0 metres in height above established grade, may encroach a maximum of 3.0 metres into the required minimum rear yard

C. for all other lots, any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.5 metres into the required minimum rear yard

D. bay, bow or box window may encroach a maximum into required yards as follows:

1) front yard 0.6 metres;

2) flankage yard 0.6 metres;

3) rear yard 0.6 metres

4) eaves above these

5) features: may project to a further 0.6 metres into the required front, flankage or rear yards;

xiii. Special Regulations:

A. despite the provision of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street;

B. despite clause 2(b) above, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempted from “S3-13” zone requirements. However, such building or structures shall be as far as possible, in substantial compliance with the regulations of “S3-13” zone;

C. the rear lot line shall be deemed to be the easterly and southerly lot lines for those lands shown as cross hatched on Figure 1;

D. the rear lot line shall be deemed to be the easterly lot line for those lands shown as dashed on Figure 1

b) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife

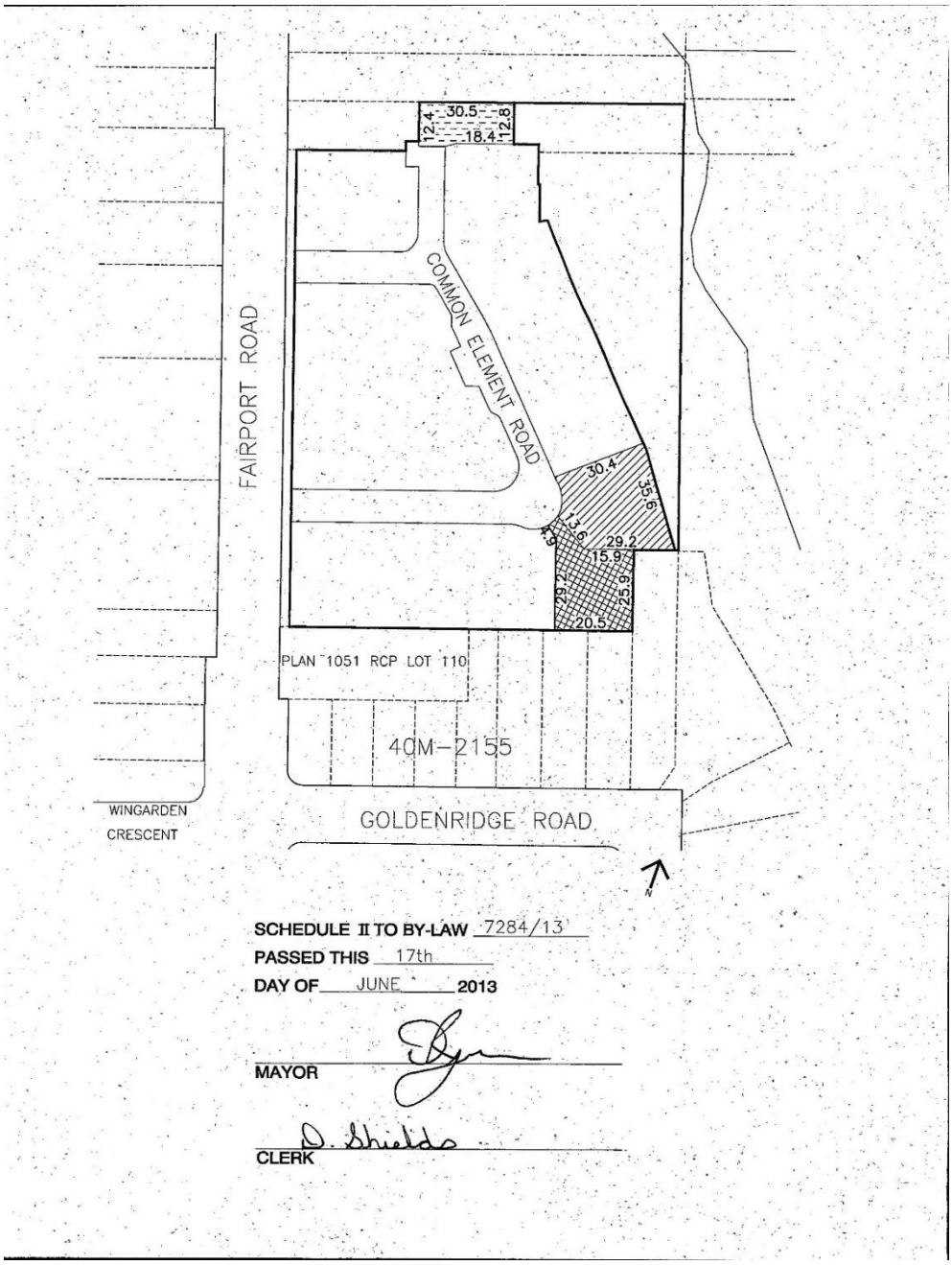
ii. resource management

iii. pedestrian trails and walkways

c) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

3. Figure 1


30.5
12.4
12.8
18.4
COMMON ELEMENT ROAD
FAIRPORT ROAD
30.4
35.6
4.9
13.6
29.2
15.9
29.2
25.9
20.5
PLAN 1051 RCP LOT 110
40M-2155
WINGARDEN CRESCENT
GOLDENRIDGE ROAD
SCHEDULE II TO BY-LAW 7284/13
PASSED THIS 17th
DAY OF JUNE 2013
MAYOR
D. Shields
CLERK

15.116 Exception Zone 116 (By-law 7303-13)

1. Definitions

a) “Build-to-zone” shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located;

b) “Dwelling” shall mean a building or part of a building containing one or more dwelling units but does not include a mobile home or trailer;

c) “Dwelling Unit” shall mean a one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

d) “Floor Area – Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

e) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

f) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

g) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

h) “Model Home” shall mean a dwelling unit which is not used for residential purposes, but which is used exclusively for sales, display, and marketing purposes pursuant to an agreement with the City of Pickering.

i) “Multiple Dwelling – Horizontal” shall mean a building containing three or more dwelling units attached horizontally by an above-grade wall or walls.

j) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business or service is conducted for profit or otherwise.

k) “Water Meter Building” shall mean a building or structure that contain devices supplied by the Region of Durham which measures the quantity of water delivered to a property.

l) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lots;

q) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) “Flankage Side Yard” shall mean a side yard immediately adjoining a street, or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

u) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“MD-H8” Zone)

No person shall within the lands zoned “MD-H8” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Multiple Dwelling – Horizontal

b) Zone Requirements (“MD-H8” Zone)

No person shall within the lands zoned “MD-H8” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. Building Requirements

A. Number of Dwelling Units (maximum): 23

B. Building Location and Setbacks

1) Buildings shall be located entirely within the building envelope as illustrated on Figure 1.

2) A minimum of 60% of the length of the build-to-zone along the Altona Road frontage, and a minimum of 60% of the length of the build-to-zone along Finch Avenue as illustrated on Figure 1, shall contain a building or part of a building.

C. Dwelling Units per lot (maximum): 1

D. Lot Frontage (minimum): 5.0 metres

E. Lot Area (minimum)

1) 95 square metres for lots adjacent to Finch Avenue or Altona Road

2) 110 square metres for all other lots

F. Building Height (maximum): 10.5 metres

ii. Building Separation

A. The horizontal distance between adjacent buildings shall not be less than 3.0 metres, except if such buildings are attached in whole or in part.

iii. Parking Requirements

A. There shall be provided and maintained a minimum of 2.0 parking spaces per dwelling unit for residents, and 0.25 of a parking space per dwelling unit for visitors.

B. A minimum of 1 private garage per lot.

C. Any vehicular entrance for an enclosed private garage shall be located a minimum of 6 metres from any lot line that abuts the street or private road that provides vehicle access to the private garage.

iv. Obstruction of Yards (maximum):

A. Despite Section 2(b)(i)(B) balconies, covered or uncovered steps, porches and platforms may project outside the required building envelope to a maximum projection of 2.0 metres from the main wall of the building.

B. Notwithstanding subparagraph A above, any balconies, covered or uncovered steps, porches and platforms exceeding 1.5 metres in height above established grade are not permitted to project outside the required building envelope abutting existing residential dwellings along Shadow Place.

v. Special Regulations:

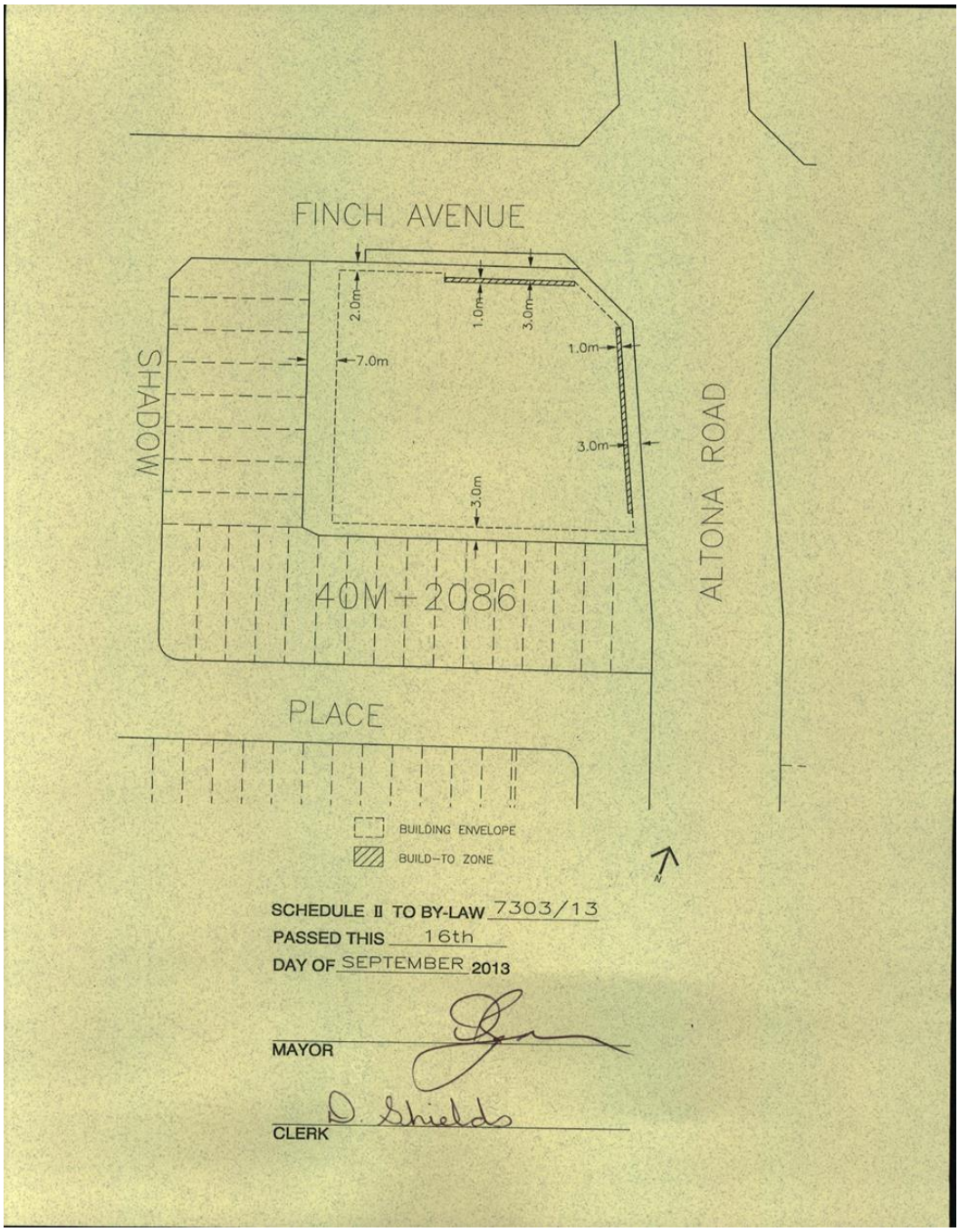
A. Despite Section 2(b)(i)(B), Accessory Buildings and Uses are permitted in accordance with By-law 3036 Section 5.18.

B. Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street.

C. Despite Section 2(b) a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempted from “MD-H8” zone requirements.

D. Section 5.22 of By-law 3036, as amended, shall not apply to the lands zoned “MD-H8”.

3. Figure 1


FINCH AVENUE
SHADOW
ALTONA ROAD
PLACE
2.0m
1.0m
3.0m
7.0m
1.0m
3.0m
3.0m
40M-2086
BUILDING ENVELOPE
BUILD-TO ZONE
N
SCHEDULE II TO BY-LAW 7303/13
PASSED THIS 16th
DAY OF SEPTEMBER 2013
MAYOR
D. Shields
CLERK

15.117 Exception Zone 117 (By-law 7336-14)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door;

b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

d) "Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

g) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) "Lot Coverage" shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

v) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions (“S1-16” Zone and “S3-14” Zone)

a) Uses Permitted (“S1-16” and “S3-14”)

No person shall within the lands zoned “S1-16” and “S3-14”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements (“S1-16” Zone and “S3-14” Zone)

No person shall within the lands zoned “S1-16” and “S3-14” use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table:

		“S1-16” Zone	“S3-14” Zone
	i. Lot Frontage (minimum)	13.0 metres	11.0 metres
	ii. Lot Area (minimum)	400 square metres	350 square metres
	iii. Front Yard Depth (minimum)	4.5 metres	
	iv. Side Yard Depth (minimum)	1.2 metres	
	v. Rear Yard Depth (minimum)	7.5 metres	
	vi. Building Height (maximum)	10.0 metres	
	vii. Lot Coverage (maximum)	40 percent	38 percent
	viii. Driveway Width (maximum)	50 percent of the lot frontage	

c) Special Provisions (“S1-16” Zone and “S3-14” Zone)

The following special provisions shall apply to lands zoned “S1-16” and “S3-14”;

i. Garage Requirements:

A. minimum one private garage per lot attached to the main building and the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from

any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

ii. Garage Projection (maximum):

A. 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

iii. Obstruction of Yards (maximum):

A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard;

B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade, may encroach a maximum of 3.0 metres into the required rear yard;

C. bay, bow or box window may encroach a maximum into required yards as follows:

1) front yard 0.6 metres

2) rear yard 0.6 metres

3) eaves above these features: may project to a further 0.6 metres into the required front or rear yards

3. Provisions (“(H) S1-16” Zone)

a) Uses Permitted (“(H) S1-16” Zone)

Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than the following:

i. Private Open Space

b) Zone Requirements (“(H) S1-16” Zone)

The “(H)” Holding Symbol shall not be removed from the “S1-16” zone until the completion of the following:

i. That the lands are combined with the adjacent lands to the south to create complete residential lots in accordance with the zoning provisions in this By-law to the satisfaction of the City of Pickering.

15.118 Exception Zone 118 (By-law 7370-14, as amended by By-law 7436-15)

1. Definitions

   a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door;

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

   g) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

v) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions (“S2” Zone and “S4” Zone)

a) Uses Permitted (“S2” and “S4”)

No person shall within the lands zoned “S2” and “S4”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements (“S2” Zone and “S4” Zone)

No person shall within the lands zoned “S2” and “S4” use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table:

		“S2” Zone	“S4” Zone
(a)	Lot Frontage (minimum)	(i) 12.5 metres (ii) 13.0 metres for lots in the cross hatched area as shown on Figure 1	9.0 metres
(b)	Lot Area (minimum)	400 square metres	250 square metres
(c)	Front Yard Depth (minimum)	(i) 4.5 metres (ii) 6.0 metres for lots in the cross hatched area as shown on Figure 1	
(d)	Side Yard Depth (minimum)	1.2 metres	
(e)	Rear Yard Depth (minimum)	7.5 metres	
(f)	Flankage Yard Depth (minimum)	2.7 metres	
(g)	Building Height (maximum)	10.0 metres	
(h)	Lot Coverage (maximum)	38 percent	

(i)	Driveway Width (maximum)	50 percent of the lot frontage

c) Special Provisions (“S2” Zone and “S4” Zone)

The following special provisions shall apply to lands zoned “S2” and “S4”:

i. Garage Requirements:

minimum one private garage per lot attached to the main building and the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street

ii. Garage Projection (maximum):

2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit

iii. Obstruction of Yards (maximum):

A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard

B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade, may encroach a maximum of 3.0 metres into the required rear yard

C. bay, bow or box window may encroach a maximum into required yards as follows:

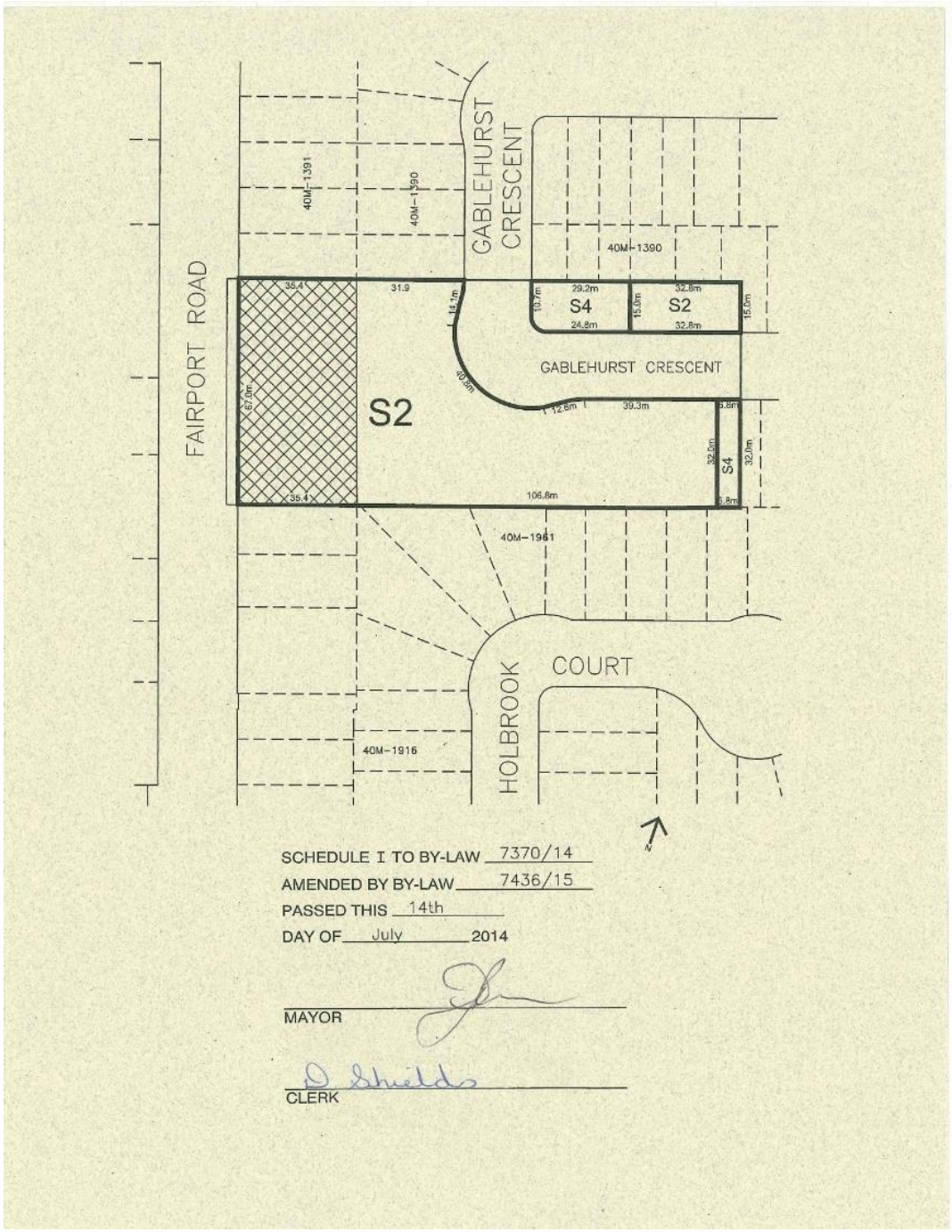
1) front yard 0.6 metres

2) flankage yard 0.6 metres

3) rear yard 0.6 metres

4) eaves above these features may project to a further 0.6 metres into the required front or rear yards

2. Figure 1


FAIRPORT ROAD
GABLEHURST CRESCENT
40M-1391
40M-1390
40M-1390
S4
S2
GABLEHURST CRESCENT
S2
S4
40M-1961
HOLBROOK COURT
40M-1916
SCHEDULE I TO BY-LAW 7370/14
AMENDED BY BY-LAW 7436/15
PASSED THIS 14th
DAY OF July 2014
MAYOR
CLERK

15.119 Exception Zone 119 (By-law 7378-14)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

d) "Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

g) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) "Lot Coverage" shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

v) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions (“R3” Zone and “S3-7” Zone)

a) Uses Permitted (“R3” and “S3-7”)

No person shall within the lands zoned “R3” and “S3-7”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements (“R3” Zone and “S3-7” Zone)

No person shall within the lands zoned “R3” and “S3-7” use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table:

		“R3” Zone	“S3-7” Zone
(a)	Lot Frontage (minimum)	15.0 metres	12.0 metres
(b)	Lot Area (minimum)	400.0 square metres	350.0 square metres
(c)	Front Yard Depth (minimum)	7.5 metres	4.5 metres
(d)	Rear Yard Depth (minimum)	7.5 metres	
(e)	Side Yard Width (minimum)	1.5 metres	minimum side yard depth of 1.2 metres on one side and 0.6 metres on the other side
(f)	Flankage Side Yard Width (minimum)	1.5 metres	
(g)	Building Height (maximum)	10.0 metres	(i) maximum 10.0 metres (ii) maximum 12.0 metres for the lots in the cross hatched area as shown on Figure 1

(h)	Driveway Width (maximum)	55 percent of the lot frontage

c) Special Provisions (“R3” Zone and “S3-7” Zone)

The following special provisions shall apply to lands zoned “R3” and “S3-7:

i. Garage Requirements

minimum one private garage per lot attached to the main building and the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

ii. Garage Projection (maximum):

2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

iii. Obstruction of Yards (maximum):

A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard;

B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade, may encroach a maximum of 3.0 metres into the required rear yard;

C. bay, bow or box window may encroach a maximum into required yards as follows:

1) front yard 0.6 metres

2) flankage yard 0.6 metres

3) rear yard 0.6 metres

4) eaves above these features may project to a further 0.6 metres into the required front or rear yards

3. Provisions (“(H) S3-7” Zone)

   a) Uses Permitted (“(H) S3-7” Zone)

      Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than the following:

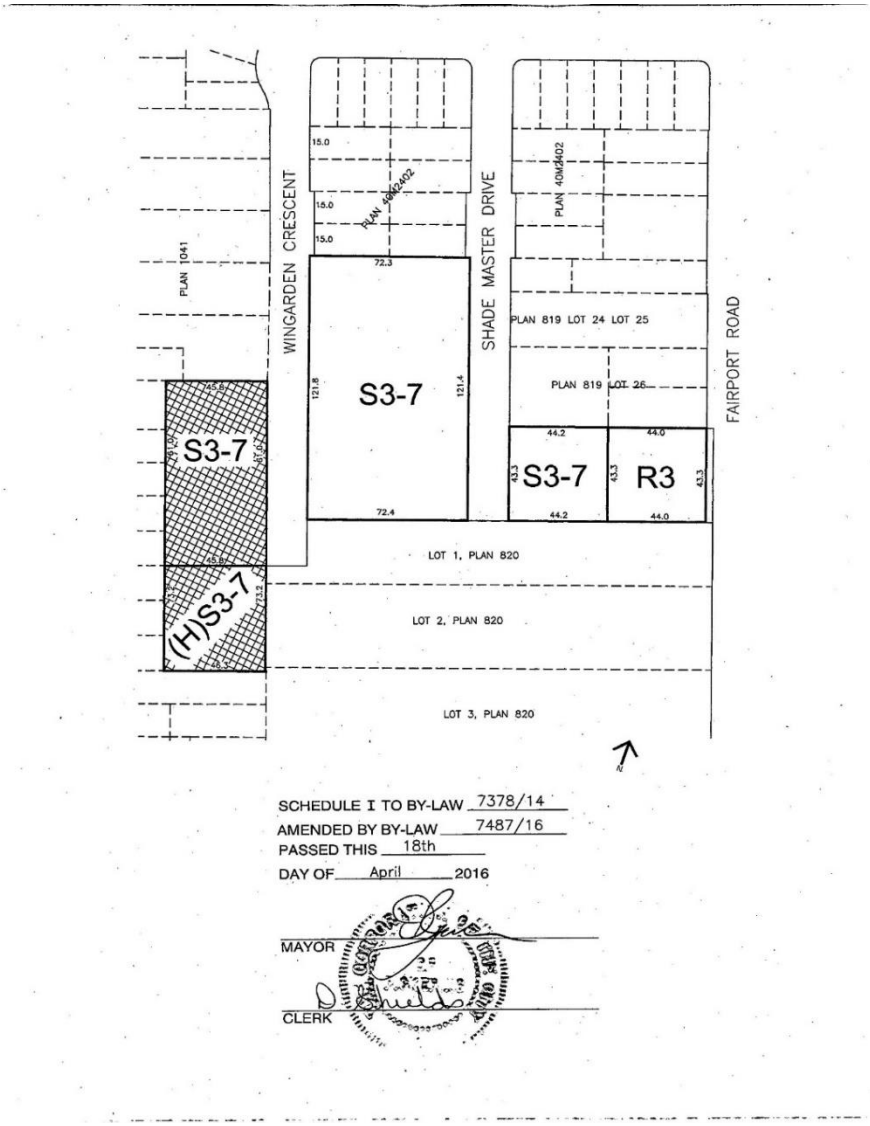
      i. Private Open Space

   b) Zone Requirements (“(H) S3-7” Zone)

      The “(H)” Holding Symbol shall be removed from the “S3-7” zone until the completion of the following:

      i. Wingarden Crescent is extended further south to the satisfaction of the City

3. Figure 1



15.120 Exception Zone 120 (By-law 7384-14)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, and may, or may not include a window seat, and may include a door;

b) “Corner Rounding” shall mean a lot line of a corner lot at the intersection of two street lines in the form of an arc, that joins the front lot line to the flankage lot line;

c) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

d) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

e) “Dwelling, Single or Single Detached or Detached Dwelling” shall mean a dwelling containing one dwelling unit and uses accessory thereto which is freestanding from other main structures;

f) “Dwelling, Single Attached or Single Attached Dwelling” shall mean one of a group of not less than 3 adjacent dwelling units attached together horizontally by an above ground common wall;

g) “Front Lot Line” shall mean the line that divides a lot from the street or a 0.3 metre reserve provided that, in the case of a corner lot, the shorter lot line that abuts a street shall be deemed to be the front lot line and the longer lot line that so abuts shall be termed the “flank” of the lot;

h) “Lane” shall mean a thoroughfare not intended for general traffic circulation that provides means of vehicular access to the rear of a lot where the lot also fronts or flanks onto a street, or where a lot fronts onto public or private open space. The lane may be maintained by a condominium corporation as a private road condominium or by a governmental authority;

i) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

j) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distance from the front lot line;

k) “Lot Line” shall mean a line delineating any boundary of a lot;

l) “Neighbourhood Park” shall mean a municipal park;

m) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

n) “Storey” shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

o) “Street” shall mean a public highway but does not include a lane. Where a 0.3 metre reserve abuts a street, or where a daylighting triangle abuts a street, for the purposes of determining a front lot line, flankage lot line, flankage yard and corner lot, the street shall be deemed to include the 0.3 metre reserve and/or the daylighting triangle; however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*;

p) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

q) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

r) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

s) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

u) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side line to the nearest wall of the nearest main building or structure on the lot;

v) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

w) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

x) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

y) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions ("S4-11", “SA-14”, and “SA-15” Zones)

a) Uses Permitted ("S4-11" Zone)

No person shall, within the lands zoned "S4-11”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single dwelling

b) Zone Requirements ("S4-11" Zone)

No person shall, within the lands zoned "S4-11”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. Lot Frontage (minimum): 9.0 metres

ii. Lot Area (minimum): 225.0 square metres

iii. Lot Depth (minimum): 25.0 metres

iv. Front Yard Depth (minimum): 3.0 metres

v. Interior Side Yard Width (minimum): 1.2 metres on one side and 0.6 metres on the other side and provided there is a minimum 1.2 metres separation between dwellings on adjacent lots

vi. Flanking Side Yard Width (minimum): 2.4 metres

vii. Rear Yard Depth (minimum): 7.0 metres

viii. Building Height (maximum): 12.0 metres

ix. Driveway Width (maximum): 55 percent of lot frontage

x. Lot Coverage for All Accessory Buildings (maximum): 15 square metres

c) Uses Permitted (“SA-14” and “SA-15” Zones)

i. No person shall, within the lands zoned “SA-14”, use any lot or erect, alter or use any building or structure for any purpose except the following:

A. single attached dwelling accessed from a street

ii. No person shall, within the lands zoned “SA-15”, use any lot or erect, alter or use any building or structure for any purpose except the following:

A. single attached dwelling accessed from a lane

d) Zone Requirements (“SA-14” and “SA-15” Zones)

No person shall, within the lands zoned “SA-14” and “SA-15”, use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following table:

		SA-14 Zone	**SA-15 Zone**
(a)	Lot Frontage (Minimum)	6.0 metres	5.0 metres
(b)	Lot Area (Minimum)	150 square metres	115 square metres
(c)	Lot Depth (Minimum)	24.0 metres	23.0 metres
(d)	Front Yard Depth (minimum)	3.0 metres	
(e)	Interior Side Yard Width (minimum)	1.2 metres, except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	
(f)	Flanking Side Yard Width (minimum)	2.4 metres	
(g)	Rear Yard Depth (minimum)	7.0 metres	6.0 metres
(h)	Building Height (maximum)	13.0 metres	

(i)	Driveway Width (maximum)	50 percent of the lot frontage	3.0 metres
(j)	Lot Coverage of All Accessory Buildings (maximum)	15.0 square metres	

e) Special Provisions ("S4-11", “SA-14” and “SA-15” Zones)

The following special provisions shall apply to all lands zoned "S4-11", “SA-14”, and “SA-15”

i. Setback from Brock Road: Clause 5.22 of By-law 3036, as amended, shall not apply to lands zoned “SA-15”;

ii. Corner Rounding Setback (minimum): Despite any front yard depth or flankage side yard width requirement, on a corner lot, the setback to a corner rounding shall be 1.75 metres;

iii. Parking Requirement (minimum): Despite Section 21.2 of By-law 3036, as amended, two private parking spaces per dwelling unit which can be provided either within an attached garage or with one parking space in an attached garage and one parking space in a driveway immediately in front of the parking garage for that dwelling unit;

iv. Garage Requirements (minimum): One private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line or rear lot line for lots accessed by a lane and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

v. Garage Parking Size (minimum): Each parking space within a private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, that the width may include one interior step and the depth may include two interior steps;

vi. Garage Projection (maximum): 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

vii. Yard Encroachments

In addition to the provisions of Section 5.7 of By-law 3036, as amended, and despite Section 2(e)(i) of this By-law, the following shall also apply:

A. a covered or unenclosed porch, veranda or balcony, with or without a foundation, may have the following minimum setbacks:
   1) to front lot line: 1.0 metres
   2) to flankage lot line: 1.0 metres
   3) to interior side lot line: 0.6 metres
   4) to rear lot line: 5.0 metres
   5) to a corner rounding: 1.0 metres
   6) eaves above these features may project: a further 0.6 metres into any required yard or corner rounding setback

B. uncovered steps minimum setback to a front lot line: 0.4 metres

C. uncovered decks of any height are permitted in the rear yard provided minimum setbacks are provided as follows:
   1) to interior side lot line: 0.6 metres
   2) to flankage lot line: 1.0 metres
   3) to rear lot line: 3.0 metres
   4) steps from a deck: may encroach an additional 1.2 metres onto the rear yard

D. bay, bow or box windows may encroach a maximum into required yards as follows:
   1) front yard: 0.6 metres
   2) flankage yard: 0.6 metres
   3) rear yard: 1.0 metres
   4) eaves above these features: may project to a further 0.6 metres into any required yard or corner rounding setback

3. Provisions (“UR” Zone)

a) Uses Permitted (“UR”)

No person shall within the lands zoned “UR” use any lot or erect, alter or use any building or structure for any purpose except for outdoor recreation uses without buildings or structures.

4. Provisions ("OS-HL" Zone)

    a) Uses Permitted ("OS-HL")

        No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure except the following:

        i. resource management, including a stormwater management facility;

        ii. pedestrian and bicycle trails;

    b) Zone Requirements ("OS-HL" Zone)

        No buildings or structures shall be permitted to be erected except where buildings or structures are used only for purposes of resource management, including a stormwater management facility; pedestrian and/or bicycle trails.

5. Provisions ("NP" Zone")

    a) Uses Permitted ("NP")

        No person shall within the lands zoned "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

        i. neighbourhood park

15.121 Exception Zone 121 (By-law 7389-14)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door;

b) “Conservation” shall mean the wise use, protection and rehabilitation of natural resources according to principles that assure their highest economic, social and environmental benefits.

c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

e) "Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

h) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

j) "Lot Coverage" shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

k) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) “Resource Management” shall mean the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society’s use, both in the present and the future, and shall also mean the management, development and cultivation of timber resources to ensure the continuous protection of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource;

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

o) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

p) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

u) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

v) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

w) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted ("R3-9" Zone)

No person shall within the lands zoned "R3-9", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling

b) Zone Requirements ("R3-9" Zone)

No person shall within the lands zoned "R3-9", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 530 square metres

ii. Lot Frontage (minimum): 18.0 metres

iii. Front Yard Depth (minimum): 4.0 metres

iv. Interior Side Yard Width (minimum):

A. 1.8 metres on one side, 3.0 metres on the other

B. despite (A) above, on lands shown in cross-hatched on Figure 1, the minimum north interior side yard width shall be 3.0 metres

v. Flankage Side Yard Width (minimum): 3.0 metres

vi. Rear Yard Depth (minimum): 6.0 metres

vii. Lot Coverage (maximum): 40 percent

viii. Building Height (maximum): 9.0 metres

c) Special Provisions ("R3-9" Zone)

The following special provisions shall apply to lands zoned "R3-9":

i. Garage Requirements:

A. minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from

any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street;

ii. Garage Projection (maximum):

A. 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

iii. Obstruction of Yards (maximum):

A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard;

B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade, may encroach a maximum of 3.0 metres into the required rear yard;

C. any bay, bow or box window may encroach into required yards, a maximum as follows:

1) front yard 0.6 metres

2) flankage yard 0.6 metres

3) rear yard 0.6 metres

4) eaves above these features may project to a further 0.6 metres into the required front or rear yards

d) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife

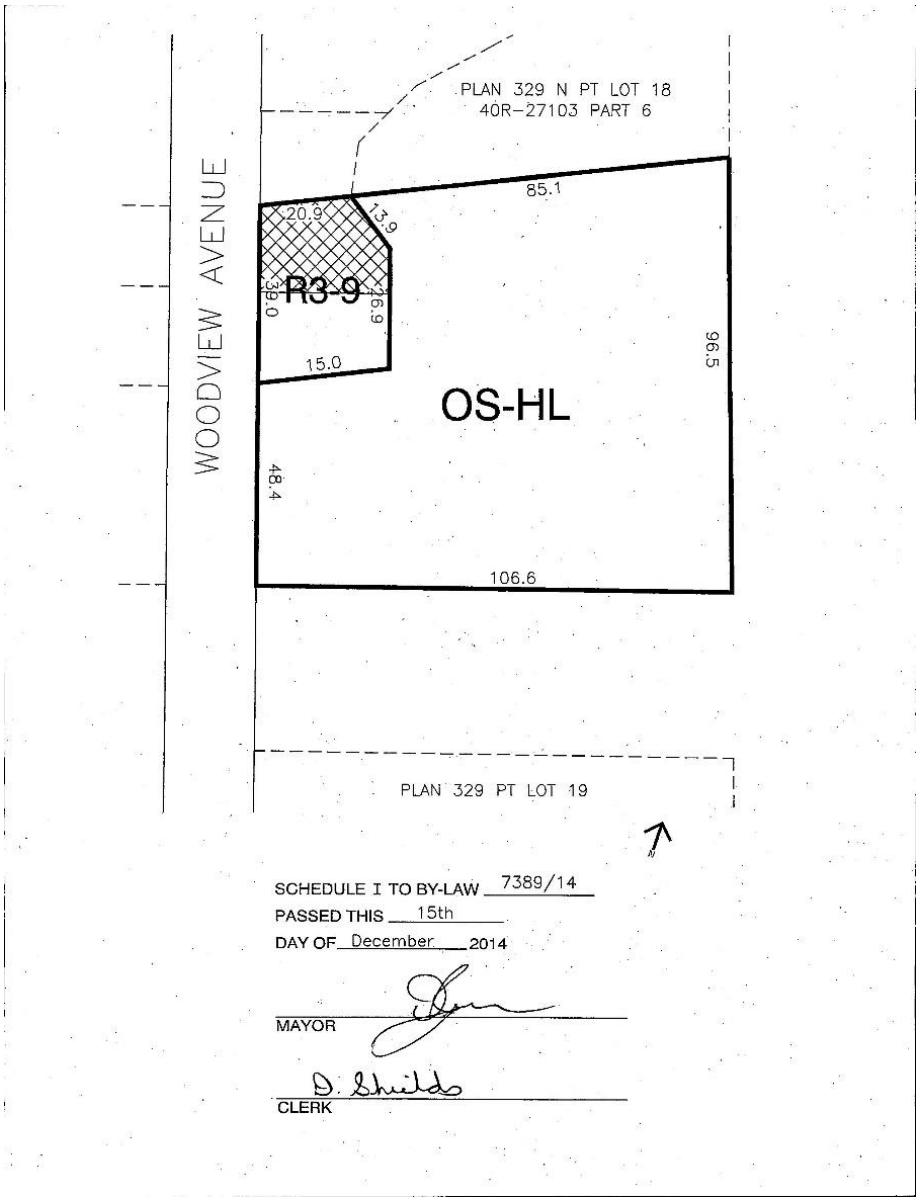
ii. resource management

iii. pedestrian trails and walkways

e) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

3. Figure 1


PLAN 329 N PT LOT 18
40R-27103 PART 6
WOODVIEW AVENUE
85.1
20.9
13.9
R3-9
39.0
26.9
15.0
OS-HL
96.5
48.4
106.6
PLAN 329 PT LOT 19
SCHEDULE I TO BY-LAW 7389/14
PASSED THIS 15th
DAY OF December 2014
MAYOR
D. Shields
CLERK

15.122 Exception Zone 122 (By-law 7446-15)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

b) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

c) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

d) “Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

e) “Dwelling, Semi-Detached” shall mean one of a pair of singe dwellings, such dwellings being attached together horizontally by an above grade common wall.

f) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

h) “Lot Coverage” shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area.

i) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

j) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

k) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

l) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

m) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

n) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

o) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

p) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

q) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

r) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

s) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions

a) Uses Permitted (“S5-2” Zone)

No person shall within the lands zoned “S5-2”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Detached Dwelling

b) Zone Requirements (“S5-2” Zone)

No person shall within the lands zoned “S5-2”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 250 square metres

ii. Lot Frontage (minimum): 9.0 metres

iii. Front Yard Depth (minimum): 4.5 metres

iv. Side Yard Width (minimum): 1.2 metres one side 0.6 metres on the other side

v. Rear Yard Depth (minimum): 7.5 metres

vi. Lot Coverage (maximum): 48 percent

vii. Building Height (maximum): 12.0 metres

viii. Driveway Width (maximum): 4.5 metres

c) Uses Permitted (“SD-7” Zone)

No person shall within the lands zoned “SD-7” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Semi-Detached Dwelling

d) Zone Requirements (“SD-7” Zone)

No person shall within the lands zoned “SD-7”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 205 square metres

ii. Lot Frontage (minimum): 8.0 metres

iii. Front Yard Depth (minimum): 4.5 metres

iv. Side Yard Width (minimum): 1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot

v. Rear Yard Depth (minimum): 7.5 metres

vi. Lot Coverage (maximum): 50 percent

vii. Building Height (maximum): 12.0 metres

viii. Driveway Width (maximum): 3.5 metres

e) Special Provisions

The following special provisions shall apply to lands zoned “S5-2” and “SD-7”:

i. Garage Requirements

minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

ii. Garage Projection

maximum 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

iii. Parking Requirements

for each dwelling unit there shall be provided and maintained a minimum of 2 parking spaces, one of which must be provided within an attached private garage;

iv. Obstruction of Yards (maximum)

A. any unenclosed porch not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the minimum required front yard;

B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade may encroach a maximum of 3.0 metres into the minimum required rear yard;

C. any bay, bow or box window, including eaves above these features, may encroach a maximum of 0.6 metres into any required front or rear yard.

3. Provisions (“(H) S5-2” Zone)

a) Uses Permitted (“(H) S5-2” Zone)

Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purposes other than the following:

i. Private Open Space

b) Zone Requirements (“(H) S5-2” Zone)

The “(H)” Holding Symbol shall not be removed from the “S5-2” zone until the completion of the following:

i. an alternate vehicular access to 450 Finch Avenue is secured to the satisfaction of the City and the easement is relinquished by the owner of 450 Finch Avenue.

15.123 Exception Zone 123 (By-law 7461-15)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

b) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

c) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

d) “Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

f) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

h) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

i) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

j) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

k) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

l) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

m) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

n) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

o) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

p) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

q) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

r) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

s) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

t) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

2. Provisions

a) Uses Permitted (“S3-16” Zone)

No person shall within the lands zoned “S3-16”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Detached Dwelling

b) Zone Requirements (“S3-16” Zone)

No person shall within the lands zoned “S3-16”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Number of Lots (maximum): 9 lots

ii. Lot Area (minimum): 280 square metres

iii. Lot Frontage (minimum): 12.0 metres

iv. Front Yard Depth (minimum): 4.5 metres

v. Side Yard Width (minimum): 1.2 metres one side 0.6 metres on the other side

vi. Rear Yard Depth (minimum): 7.0 metres

vii. Flankage Side Yard (minimum):

A. Abutting Fairport Road 3.7 metres

B. Abutting internal private road 2.7 metres

viii. Building Height (maximum): 9.0 metres

c) Special Provisions

The following special provisions shall apply to lands zoned “S3-16”:

i. Parking Requirements

A minimum of 2 parking spaces per dwelling unit for resident, one of which must be provided within an attached private garage, and a minimum of 5 parking spaces for visitor parking.

ii. Minimum Interior Garage Size

Each required parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps.

iii. Garage Requirements

Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 5.5 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

iv. Garage Projection

Maximum 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

v. Maximum Driveway Width

Maximum driveway width shall not exceed the width of the exterior walls of the private garage.

vi. Obstruction of Yards (maximum)

A. any covered and unenclosed porch or verandah not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard and flankage side yard;

B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade may encroach a maximum of 3.0 metres in to the rear yard;

C. any bay, bow or box window, including eaves above these features, may encroach a maximum of 0.6 metres into any required front yard, flankage yard or rear yard.

d) Special Regulations

The following special regulations shall apply to lands zoned “S3-16”:

i. Despite the provision of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the subject lands.

i. Despite Sections 2(a) and 2(b) above, a water meter building required by the Region of Durham for the purpose of measuring the quality of water delivered shall be exempted from “S3-16” zone use provision and zone requirements.

15.124 Exception Zone 124 (By-law 7527-16)

1. Definitions

a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

c) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

d) “Condominium, Common Element” means spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways, parking and amenity area.

e) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

f) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

g) “Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

h) “Dwelling, Multiple – Horizontal” shall mean a building containing three or more dwelling units attached horizontally by an above-grade wall or walls;

i) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

j) “Height, Building” shall mean the vertical distance between the established grade, at the front of the dwelling, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

k) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a

public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) “Lot Area” shall mean the total horizontal area within the lot lines of a lot;

m) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

n) “Lot, Through” shall mean a lot bounded on opposite sides by a street.

o) “Parapet Wall” shall mean the portion of an exterior wall extending above the roof.

p) “Park, Private” means a park which is maintained by a condominium corporation.

q) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building; a basement may be located under the porch.

r) “Private garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

s) “Street, Private” means:

i. a right-of-way or roadway, that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a private right-of-way over private property, that affords access to lots abutting the private street;

but is not maintained by a public body and is not a lane.

t) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

u) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

v) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

w) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

x) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

y) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

z) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

aa) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

bb) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

cc) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

dd) Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions (“MD-H14” and “MD-H15” Zones)

a) Uses Permitted (“MD-H14” and “MD-H15” Zones)

No person shall within the lands zoned “MD-H14” and “MD-H15”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. multiple dwelling – horizontal

b) Zone Requirements (“MD-H14” and “MD-H15” Zones)

No person shall within the lands zoned “MD-H14” and “MD-H15” , use any lot or erect, alter, or use any building or structure except in accordance with the provisions as set out in the following provisions:

		“MD-H14” Zone	“MD-H15” Zone
(a)	Lot Frontage (minimum)	7.0 metres	9.0 metres

		"MD-H14" Zone	"MD-H15" Zone
(b)	Lot Area (minimum)	160 square metres	240 square metres
(c)	Front Yard Depth (minimum)	3.0 metres	6.0 metres
(d)	Rear Yard Depth (minimum)	6.0 metres	(i) 8.0 metres (ii) 5.8 metres for the units in the hatched area as shown on Figure 1
(e)	Side Yard Width (minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	
(f)	Flankage Side Yard Width (minimum)	1.2 metres	
(g)	Building Height (maximum)	11.5 metres	8.5 metres
(h)	Driveway Width (maximum)	6.0 metres	
(i)	Number of Dwelling Units (maximum)	22 units	
(j)	Parking Requirements (minimum)	4.0 parking spaces per dwelling unit for residents, and 0.25 of parking space per dwelling unit for visitors	
(k)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located no less than 6 metres from the common element condominium street	
(l)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 5.6 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps	

c) Special Provisions ("MD-H14" and "MD-H15" Zones)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided

that no such feature projects into the required yard more than 0.6 metres or half the distance of the required yard, whichever is less;

ii. A porch, an uncovered deck or balcony may encroach into any required front yard to a maximum of 2.0 metres or half the distance of the required yard, whichever is less;

iii. A porch, an uncovered deck or balcony may encroach into any required flankage yard or rear yard to a maximum of 2.0 metres;

iv. Stairs to a porch or deck may encroach to within 0.3 metres of the front lot line or flankage lot line; to within 1.0 metres of a rear lot line; and to within 0.6 metres of a side lot line;

v. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 metres or half the distance of the required yard, whichever is less;

vi. Air Conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units shall not be located any closer than 0.6 metres to a side lot line and shall not be located on any easement in favour of the City;

vii. An outdoor private park shall be provided having a minimum area of 120 square metres;

viii. Outdoor Private Amenity Area for lands zoned “MD-H14”:

A. a minimum of 14 square metres of outdoor private amenity area shall be provided on the balcony above the garage and located at the rear of the dwelling unit;

B. accessory structures such as pergolas, sheds or other similar structures shall not be permitted on the deck above the garage at the rear of the dwelling unit;

C. the outdoor private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

d) Special Regulations (“MD-H14” and “MD-H15” Zones)

i. Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the lands zoned “MD-H15”;

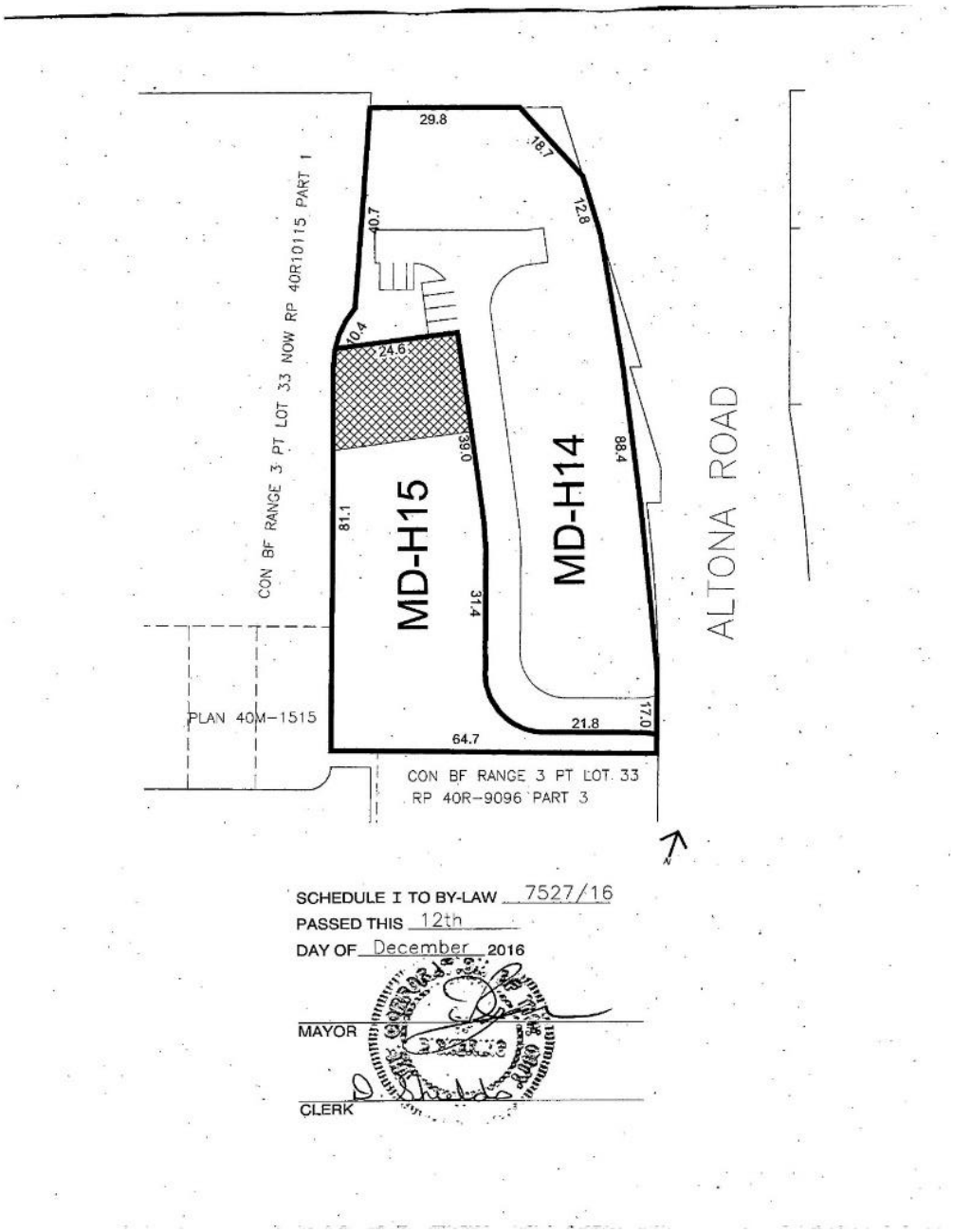
ii. Despite Section 2(d)(i) above, the lot line abutting Altona Road and Twyn Rivers Drive shall be deemed to be the Front Lot Line for the lands zoned “MD-H14”;

iii. Despite Sections 2(a)(i) and 2(b), a water meter building required by the Region of Durham for the purpose of measuring the quality of water delivery shall be exempted from “MD-H14” and “MD-H15” zone use provisions and zone requirements;

iv. Sections 5.22 and 6.4 of By-law 3036, as amended, shall not apply to the lands zoned “MD-H14” and “MD-H15”;

v. Section 6.5(iv) of By-law 3036, as amended, shall not apply to the lands zoned “MD-H14”.

4. Figure 1


29.8
18.7
12.8
40.7
10.4
24.6
CON BF RANGE 3 PT LOT 33 NOW RP 40R10115 PART 1
MD-H15
MD-H14
ALTONA ROAD
88.4
81.1
31.4
PLAN 40M-1515
21.8
17.0
64.7
CON BF RANGE 3 PT LOT 33
RP 40R-9096 PART 3
SCHEDULE I TO BY-LAW 7527/16
PASSED THIS 12th
DAY OF December 2016
MAYOR
CLERK

15.125 Exception Zone 125 (By-law 7537-17)

1. Definitions

a) “Accessory” means a use or building naturally or normally incidental to, subordinate to or exclusively devoted to a principal use or building and located on the same lot as the principal use or building.

b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

c) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

d) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

e) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

f) “Dwelling, Detached” means a single dwelling which is freestanding, separate and detached from other main buildings or structures;

g) “Dwelling Unit” means one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

h) “Grade” means, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such buildings and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.

i) “Height, Dwelling” means the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

j) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or

open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

k) “Lot Area” means the total horizontal area within the lot lines of a lot;

l) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

m) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

n) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

o) “Resource Management” means the preservation, protection and improvement of the natural environment through comprehensive management and maintenance, under professional direction for both the individual and society’s use, both in the present and the future, and shall also mean the continuous protection of wood or wood products, the provision of proper environmental conditions for wildlife, the protection against floods and erosion, the protection and production of water supplies and the preservation of the recreational resource;

p) “Wall, Front” means the wall of the dwelling closest to the front lot line.

q) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

r) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

s) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

t) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

u) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

w) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

x) “Flankage Side Yard” means a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

y) “Flankage Side Yard Width” means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted (“S1-15” and “S3-17” Zones)

No person shall within the lands zoned “S1-15” and “S3-17”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Detached Dwelling

ii. Accessory structure

b) Zone Requirements (“S1-15” and “S3-17” Zones)

No person shall within the lands zoned “S1-15” and “S3-17”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

		“S1-15” Zone	“S3-17” Zone
(a)	Lot Frontage (minimum)	15.0 metres	12.0 metres
(b)	Lot Area (minimum)	450 square metres	350 square metres
(c)	Front Yard Depth (minimum)	4.0 metres	
(d)	Side Yard Depth (minimum)	1.2 metres	1.2 metres on one side and 0.6 metres on the other side
(e)	Rear Yard Depth (minimum)	7.0 metres	

		“S1-15” Zone	“S3-17” Zone
(f)	Flankage Yard Depth (minimum)	2.7 metres	
(g)	Building Height (maximum)	11.5 metres	
(h)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	
(i)	Driveway Width (maximum)	6.0 metres	
(j)	Garage Requirements	Minimum 1 private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line	
(k)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, the width may include 1 interior step and the depth may include 2 interior steps	
(l)	Garage Projection	Maximum 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit	

c) Special Provisions (“S1-15” and “S3-17” Zones)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 metres or half the distance of the required yard, whichever is less;

ii. A porch, uncovered deck or balcony may encroach into any required front yard to a maximum of 2.0 metres;

iii. A porch, uncovered deck or balcony may encroach into any required flankage yard to a maximum of 2.0 metres or half the distance of the required yard whichever is less;

iv. A porch or uncovered deck may encroach into any required rear yard to a maximum of 2.0 metres;

v. Stairs to a porch or uncovered deck may encroach to within 0.3 metres of the front lot line or flankage lot line; to within 1.0 metre of a rear lot line; and to within 0.6 metres of a side lot line; and

vi. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 metres or half the distance of the required yard, whichever is less.

d) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

iii. pedestrian trails and walkways.

e) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.126 Exception Zone 126 (By-law 7541-17)

1. Definitions

a) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

b) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

c) “Deck” means a raised platform attached to or abutting the exterior wall of a building and with direct access from within a building and from grade.

d) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

e) “Dwelling, Detached” means a single dwelling which is freestanding, separate and detached from other main buildings or structures;

f) “Dwelling Unit” means one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

g) “Height, Dwelling” means the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

h) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) “Lot Area” means the total horizontal area within the lot lines of a lot;

j) “Lot Frontage” means the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

l) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

m) “Storey” means that portion of a building other than a basement, cellar, or attic, included between the surface of any floor, and the surface of the floor, roof deck or ridge next above it.

n) “Storey, First” means the storey with its floor closest to grade and having its ceiling more than 1.8 metres above grade.

o) “Wall, Front” means the wall of the dwelling closest to the front lot line.

p) “Yard” means an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

q) “Front Yard” means a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

r) “Front Yard Depth” means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

s) “Rear Yard” means a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) “Rear Yard Depth” means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

u) “Side Yard” means a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

v) “Side Yard Width” means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

w) “Flankage Side Yard” means a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

x) “Flankage Side Yard Width” means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting

on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted (“S4-12” and “S4-13” Zones)

No person shall within the lands zoned “S4-12” and “S4-13” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Detached Dwelling

b) Zone Requirements (“S4-12” and “S4-13” Zones)

No person shall within the lands zoned “S4-12” and “S4-13” use any lot or erect, alter, or use any building except in accordance with the following provisions:

		“S4-12” Zone	“S4-13” Zone
(a)	Lot Frontage (minimum)	9.75 metres	11.0 metres
(b)	Lot Area (minimum)	290 square metres	320 square metres
(c)	Front Yard Depth (minimum)	4.5 metres	
(d)	Side Yard Depth (minimum)	1.2 metres on one side and 0.6 metres on the other side	
(e)	Rear Yard Depth (minimum)	i) 7.5 metres ii) 6.0 metres for the lands in the hatched area as shown on Figure 1.	
(f)	Flankage Yard Depth (minimum)	2.3 metres	
(g)	Building Height (maximum)	12.0 metres	
(h)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit	
(i)	Driveway Width (maximum)	5.5 metres	

		“S4-12” Zone	“S4-13” Zone
(j)	Garage Requirements	Minimum 1 private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line	
(k)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres provided, however, the width may include 1 interior step and the depth may include 2 interior steps	
(l)	Garage Projection	Maximum 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit	

c) Special Provisions (“S4-12” and “S4-13” Zones)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 metres or half the distance of the required yard, whichever is less;

ii. A porch, deck or balcony may encroach into any required front yard to a maximum of 2.0 metres;

iii. A porch, deck or balcony may encroach into any required flankage yard to a maximum of 2.0 metres or half the distance of the required yard whichever is less;

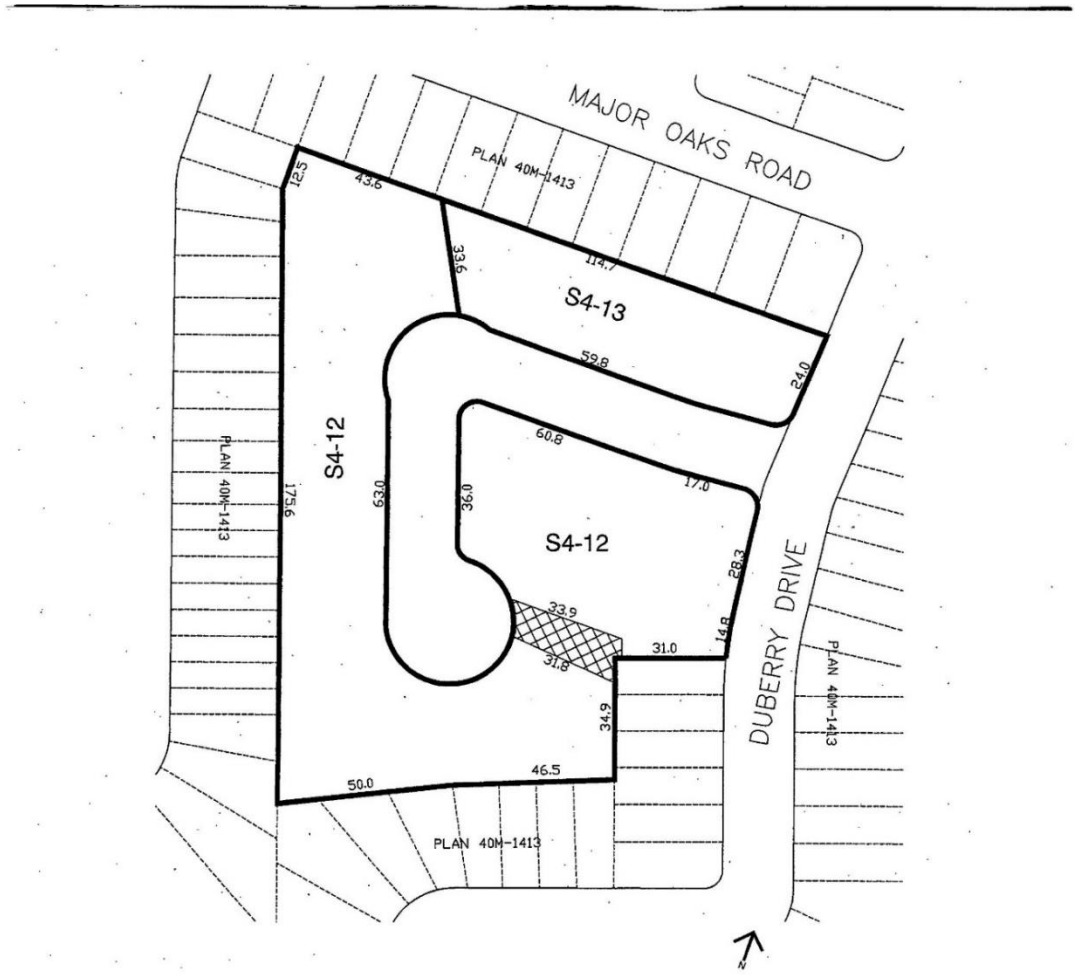
iv. A porch or deck may encroach into any required rear yard to a maximum of 2.0 metres;

v. Stairs to a porch or deck may encroach to within 0.3 metres of the front lot line or flankage lot line; to within 1.0 metre of a rear lot line; and to within 0.6 metres of a side lot line;

vi. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 metres or half the distance of the required yard, whichever is less, and

vii. A porch, deck or balcony off a storey above the first storey shall not encroach into the rear yard.

3. Figure 1


MAJOR OAKS ROAD
PLAN 40M-1413
12.5
43.6
33.6
114.7
S4-13
59.8
34.0
S4-12
60.8
17.0
63.0
36.0
175.6
S4-12
28.3
33.9
31.8
31.0
14.8
34.9
46.5
50.0
DUBERRY DRIVE
PLAN 40M-1413
PLAN 40M-1413
PLAN 40M-1413
SCHEDULE I TO BY-LAW 7541/17
PASSED THIS 27th
DAY OF February 2017
MAYOR
CLERK

15.127 Exception Zone 127 (By-law 7570-17)

1. Definitions

a) “Air Conditioner” means any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) “Amenity Area” means a communal outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area and is designed to accommodate play equipment, but which may also include areas of decking, decorative paving or other similar surface.

c) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

d) “Basement” means a portion of a building below the first storey.

e) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

f) **“**Building**”** means a structure occupying an area greater than ten square metres and consisting of any combination of walls, roof and floor but shall not include a mobile home.

g) “Building Height” means the vertical distance between the established grade, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge.

h) “Dwelling” means a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

i) “Dwelling, Back-to-Back Townhouse” means a building containing a minimum of four units that is divided vertically and where each unit is divided by common walls, including a common rear wall without a rear yard setback, and whereby each unit has an independent entrance to the unit from the outside accessed through the front yard or exterior side yard.

j) “Dwelling, Block Townhouse” means a residential use building containing three or more attached principal dwelling units divided vertically, and where

all dwelling units are accessed from a public road, private street, laneway or condominium aisle.

k) “Dwelling Unit” means a residential unit that:

   i. consists of a self-contained set of rooms located in a building or structure;

   ii. is used or intended for use as a residential premises;

   iii. contains kitchen and bathroom facilities that are intended for the use of the unit only; and

   iv. is not a mobile home or any vehicle.

l) “Grade” or “Established Grade” means the average elevation of the finished level of the ground adjoining all exterior walls of a building.

m) “Lands, Subject” means the lands subject of this by-law.

n) “Lot” means an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

o) “Parapet Wall” means the portion of an exterior wall extending above the roof.

p) “Parking Lot” means a lot or portion thereof provided for the parking of motor vehicles accessory or incidental to the main use.

q) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

r) “Premises” means the whole or part of lands, buildings or structures, or any combination of these.

s) **“**Primary Entrance Door” means the principal entrance by which the resident enters or exits a dwelling unit.

t) “Private garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

u) “Street” means a right-of-way or roadway that is used by vehicles and includes a public highway and a private street within a condominium.

v) “Street, Private” means:

   i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a private right-of-way over private property, that affords access to lots abutting a private street; but is not maintained by a public body and is not a lane.

w) "Structure" means anything that is erected, built or constructed of parts joined together with a fixed location on the ground, or attached to something having a fixed location in or on the ground and shall include buildings, walls or any sign, but does not include fences below 1.8 metres in height or inground swimming pools.

x) "Water Meter Building" means a building or structure that contains devices supplied by the Region of Durham which measures the quality of water delivered to a property.

2. Provisions

a) Uses Permitted ("MD-H16" Zone)

No person shall within the lands zoned "MD-H16" use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Dwelling, Block Townhouse

ii. Dwelling, Back-to-Back Townhouse

b) Zone Requirements ("MD-H16" Zone)

No person shall within the lands zoned "MD-H16" use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Building Location and Setbacks:

A. No building or part of a building, or structure shall be erected outside of the building envelope as illustrated on Figure 1;

B. No building or portion of a building or structure shall be erected unless a minimum of sixty percent of the length of the build-to-zone along the Altona Road frontage as illustrated on Figure 1, contains a building or part of a building;

ii. Minimum and Maximum Number of Dwelling Units:

A. Minimum Number of Dwelling Units 17

B. Maximum Number of Dwelling Units 46

iii. Building Height (maximum): 11.0 metres

iv. Parking Requirements (minimum):

A. 2.0 parking spaces per dwelling unit plus 0.25 of a parking space per dwelling unit for visitors

v. Driveway Width (maximum):

A. Block Townhouse Dwelling and Back-to-Back Townhouse Dwelling: 3.7 metres

B. Despite 2(b)v.A. above, Maximum Driveway Width shall not apply for the lands in the hatched area A as shown on Figure 2.

vi. Garage Requirements:

A. Block Townhouse Dwelling and Back-to-Back Townhouse Dwelling: Minimum 1 private garage per dwelling unit attached to the main building, the vehicular entrance of which shall be located a minimum of 6 metres from the private street that provides vehicle access to the private garage.

B. Despite 2(b)vi.A. above, a minimum 1 private garage per dwelling unit attached to the main building for the lands in the hatched area A as shown on Figure 2.

vii. Interior Garage Size (minimum):

A. Block Townhouse Dwelling and Back-to-Back Townhouse Dwelling: A private garage shall have a minimum width of 2.9 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps.

B. Despite 2(b)vii.A. above, a private garage shall have a minimum width of 5.2 metres and a minimum depth of 6.0 metres; however, the width may include 1 interior step and the depth may include 2 interior steps for the lands in the hatched area A as shown on Figure 2.

c) Special Provisions (“MD-H16” Zone)

i. Despite Section 2(b)(i)(A), projections including balconies, uncovered and covered porches, decks, platforms and awnings, window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may project outside the building envelope identified on Figure 1, provided that no such feature projects a maximum of 1.8 metres from the main wall of the building and is wholly within the “MD-H16” zone.

ii. The minimum pavement width for a private street shall be 6.5 metres.

iii. Air conditioners shall not be located any closer than 0.6 metres to the building envelope and shall not be located on any easement in favour of the City or the Toronto and Region Conversation Authority.

iv. Amenity Area – a minimum 140 square metres as generally identified as the hatched area B on Figure 2 on lands zoned “MD-H16” and “OS-HL-6” as identified.

v. Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a private street.

vi. Despite the provisions of Sections 5.22 and 6.5(iv) of By-law 3036, as amended, shall not apply to the lands zoned “MD-H16”.

vii. Despite provision 2(a)i. and 2(b) above, a water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from the “MU-H16” zone use provisions and zone requirements.

d) Uses Permitted (“OS-1” Zone)

No person shall within the lands zoned “OS-1” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Community micro-grid battery storage

ii. Community micro-grid energy generation

e) Zone Requirements (OS-1 Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of community micro-grid battery storage and community micro-grid energy generation.

f) Uses Permitted (“OS-HL-6” Zone)

No person shall within the lands zoned “OS-HL-6” use any lot or erect any buildings or structures for any purpose except the following:

i. Preservation and conservation of the natural environment, soil and wildlife

ii. Resource management, including pedestrian and/or bicycle trails.

iii. Amenity Area – a minimum 140 square metres as generally identified as the hatched area B on Figure 2 on lands zoned “MD-H16” and “OS-HL-6” as identified.

iv. Access driveway as generally illustrated on Figure 2

g) Zone Requirements (OS-HL-6 Zone)

i. No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or

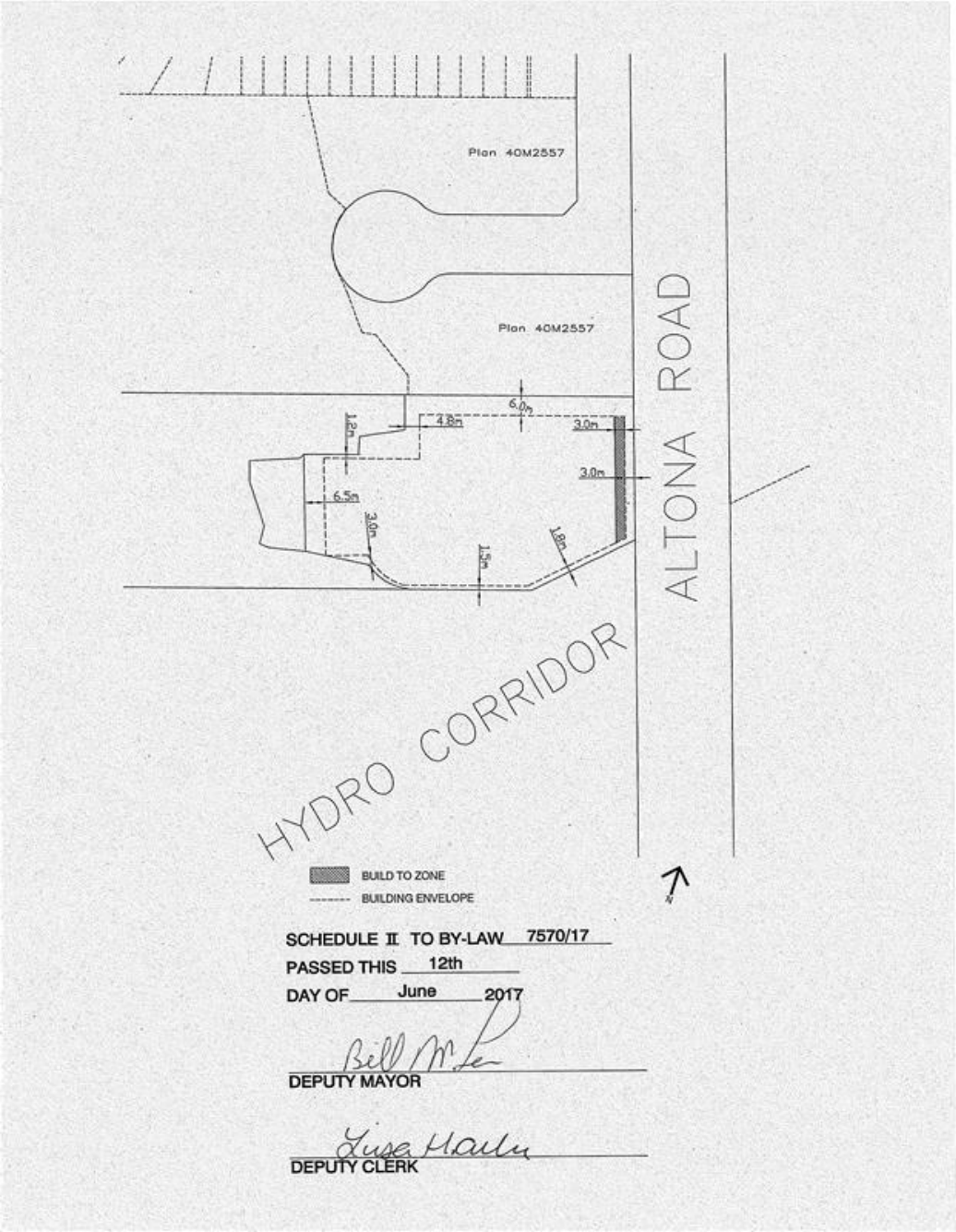
structures are used only for purposes of flood and erosion control, resource management, or pedestrian and/or bicycle trails.

3. Model Homes

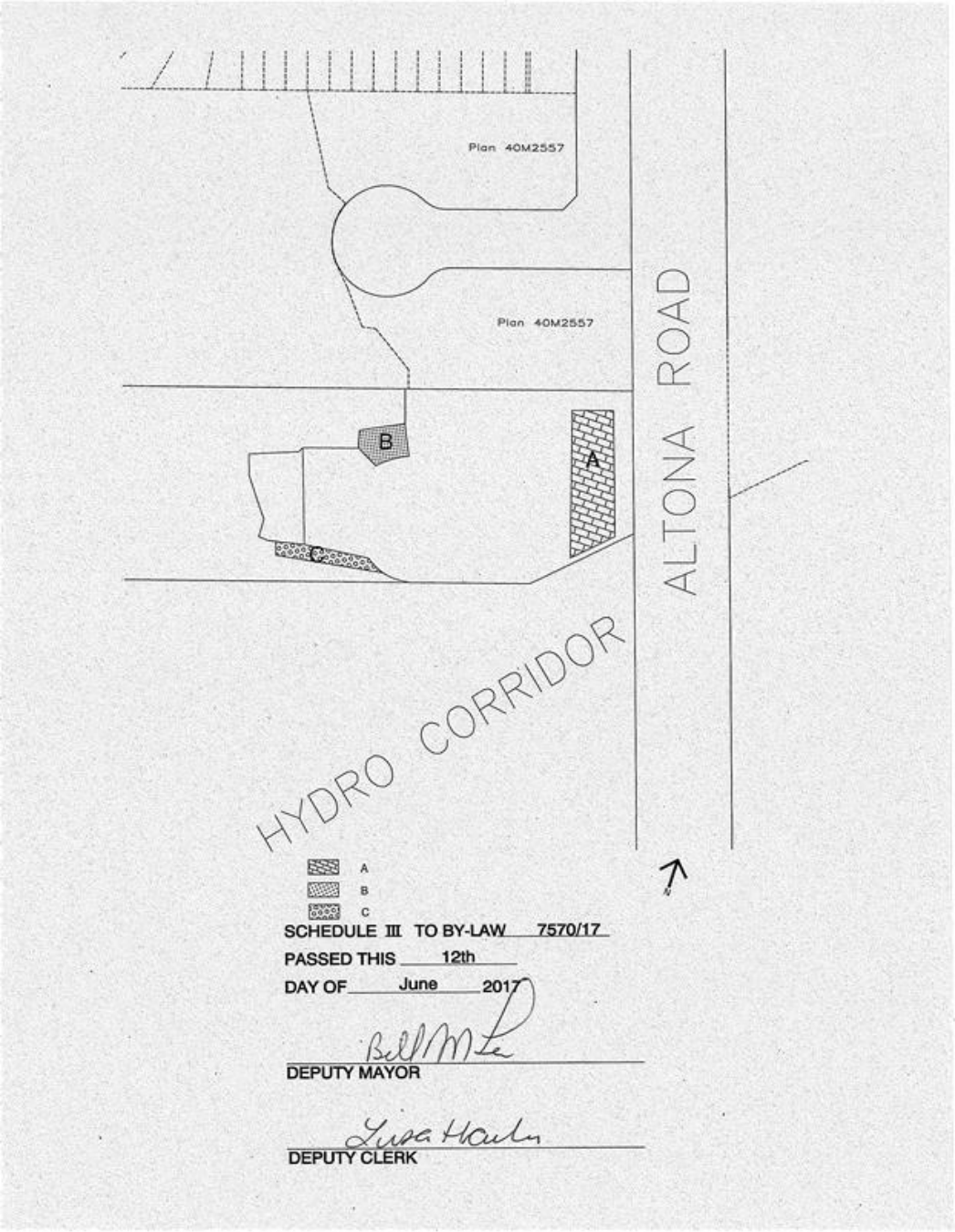
   a) A maximum of 1 block, together with not fewer than 2 parking spaces per Model Home, may be constructed on the lands zoned “MD-H16”.

   b) For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display and marketing purposes pursuant to an agreement with the City of Pickering.

4. Figure 1


Plan 40M2557
Plan 40M2557
ALTONA ROAD
HYDRO CORRIDOR
6.0m
4.8m
1.2m
3.0m
3.0m
6.5m
3.0m
1.8m
1.5m
BUILD TO ZONE
BUILDING ENVELOPE
SCHEDULE II TO BY-LAW 7570/17
PASSED THIS 12th
DAY OF June 2017
DEPUTY MAYOR
DEPUTY CLERK

5. Figure 2


Plan 40M2557
Plan 40M2557
B
A
ALTONA ROAD
HYDRO CORRIDOR
A
B
C
SCHEDULE III TO BY-LAW 7570/17
PASSED THIS 12th
DAY OF June 2017
DEPUTY MAYOR
DEPUTY CLERK

15.128 Exception Zone 128 (By-law 7607-18)

1. Definitions

a) “Air Conditioner” shall mean any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) "Balcony" shall mean an attached covered or uncovered platform projecting from a face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

c) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation, and may or may not include a window seat; and may include a door.

d) "Deck" shall mean a raised platform attached to the exterior wall of a building and which has direct access from within a building and from grade.

e) "Driveway" shall mean a portion of a lot used to provide vehicular access from a roadway to an off-street parking space on the same lot as a principal use.

f) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer.

g) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities.

h) “Dwelling, Multiple-Horizontal” shall mean a building containing three or more dwelling units attached horizontally by an above grade wall or walls.

i) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey.

j) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

k) “Height Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

l) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

m) "Lot Area" shall mean the total horizontal area within the lot lines of a lot.

n) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

o) “Parapet Wall” shall mean the portion of an exterior wall extending above the roof.

p) “Parking Space” shall mean an area of land or building that is accessible by a driveway or aisle, having access to a street or lane that is reserved for the purpose of the temporary parking or storage of one vehicle and shall be a minimum of 2.6 metres in width by a minimum of 5.3 metres in length.

q) “Porch” shall mean a roofed deck or portico structure attached to the exterior wall of a building. A basement may be located under the porch.

r) “Street” shall mean a right-of-way or roadway that is used by vehicles and includes a public highway.

s) “Wall, Front” shall mean the wall of the dwelling closest to the front lot line.

t) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

u) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

v) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

w) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

x) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

y) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

z) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

aa) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

bb) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

cc) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

dd) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions (“SA-23” Zone)

a) Uses Permitted (“SA-23” Zone)

No person shall within the lands zoned “SA-23” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Multiple-Horizontal Dwelling

b) Zone Requirements (“SA-23” Zone)

No person shall within the lands zoned “SA-23” use any lot or erect, alter or use any building or structure except in accordance with the following:

		“SA-23” Zone
(a)	Lot Frontage (minimum)	5.8 metres
(b)	Lot Area (minimum)	185 square metres
(c)	Front Yard Depth (minimum)	6.0 metres
(d)	Rear Yard Depth (minimum)	10.0 metres

		"SA-23" Zone
(e)	Side Yard Width (minimum)	1.8 metres except where dwellings on adjacent lots are attached, no interior side yard shall be required
(f)	Flankage Side Yard Width (minimum)	2.7 metres
(g)	Building Height (maximum)	9.5 metres
(h)	Garage (minimum)	1 private garage per lot
(i)	Internal Garage Width (minimum)	3.0 metres which may include one interior step
(j)	Internal Garage Length (minimum)	6.0 metres which may include two interior steps
(k)	Garage Setback (minimum)	9.0 metres from the front lot line
(l)	Parking per Unit (minimum)	2.0 spaces, of which 1.0 must be provided in an attached private garage
(m)	Driveway Width (maximum)	3.7 metres

3. Special Provisions ("SA-23" Zone)

The following special provisions shall apply to lands zoned "SA-23":

a) Obstruction of Yards (maximum):

i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.5 metres in height above established grade may encroach a maximum of 2.0 metres into the minimum required front or flankage yard;

ii. uncovered balconies, decks and associated stairs, not exceeding 1.5 metres in height above grade may encroach a maximum of 4.0 metres into the required rear yard, provided they are setback 0.6 metres from a side lot line;

iii. balconies located above the first floor projecting or inset in the rear are prohibited;

iv. bay, box or bow window, with or without foundation, having a width of up to 4.0 metres may encroach a maximum of 0.6 metres into any required yard; and

v. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features are permitted to project a maximum of 0.6 metres into any required yard and are required to be setback 0.6 metres from a side lot line.

b) Air Conditioners:

i. air conditioner units are permitted on a lot provided they are located within the rear or side yard or on a balcony or roof;

ii. such air conditioning units shall not be located any closer than 0.6 metres to a side lot line and shall not be located on any easement; and

iii. despite Section 3(b)(ii), air conditioner units located on a balcony are not required to be setback from a side lot line.

c) Accessory Dwelling Unit

i. An accessory dwelling unit is permitted within a Multiple Dwelling - Horizontal, provided:

A. a minimum total of 3 parking spaces are provided;

B. the accessory dwelling unit does not exceed 100 square metres in ground floor area; and

C. a home-based business is not operated within the Multiple Dwelling – Horizontal.

15.129 Exception Zone 129 (By-law 7723-19)

1. Definitions

a) “Air Conditioner” shall mean any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) “Amenity Area” shall mean an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

c) “Balcony” shall mean an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

d) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

e) “Condominium, Common Element” shall mean spaces and features owned in comment by all shareholders in a condominium and may include private streets, walkways and parking and amenity areas.

f) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

g) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

h) “Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

i) “Dwelling, Semi-Detached” shall mean a residential use building containing two attached principal dwelling units that are divided vertically, with each unit having frontage on a street, except where located within a planned unit development;

j) “Multiple Dwelling – Horizontal” shall mean a building containing three or more dwelling units attached horizontally by an above-grade wall or walls.

k) “Floor Area – Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

l) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

m) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

n) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

o) “Lot Coverage” shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

p) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

q) “Park, Private” means a park which is maintained by a condominium corporation.

r) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

s) “Storey” means the portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge above it.

t) “Street” shall mean a public highway but does include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

u) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.

v) “Tandem Parking Space” means two or more parking spaces abutting each other end to end with only one having access to an aisle.

w) “Water Meter Building” shall mean a building or structure that contains devices supplied by the Region of Durham which measure the quantity of water delivered to a property.

x) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

y) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

z) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

aa) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

bb) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

cc) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

dd) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

ee) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

ff) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

gg) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions (“MD-H17”, “MD-H18” and “SD-8” Zones)

a) Uses Permitted (“MD-H17”, “MD-H18” and “SD-8” Zones)

No person shall within the lands zoned “MD-H17” and MD-H18” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. multiple dwelling – horizontal

No person shall within the lands zoned “SD-8” use any lot or erect, alter, or use any building or structure for any purpose except the following:

ii. semi-detached dwelling

b) Zone Requirements (“MD-H17”, “MD-H18” and “SD-8” Zones)

No person shall within the lands zoned “MD-H17”, “MD-H18” and “SD-8” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

		“MD-H17” Zone	“MD-H18” Zone	“SD-8” Zone
(a)	Number of Dwelling Units	(i) Minimum number of dwelling units: 66 (ii) Maximum number of dwelling units: 108		
(b)	Lot Frontage (minimum)	3.9 metres	5.5 metres	6.0 metres
(c)	Lot Area (minimum)	90 square metres	140 square metres	175 square metres
(d)	Front Yard Depth (minimum)	3.0 metres	6.0 metres to the garage	(i) 6.0 metres (ii) 4.8 metres for a lot in

		“MD-H17” Zone	“MD-H18” Zone	“SD-8” Zone
				the cross hatched area as shown on Figure 1
(e)	Side Yard Depth (minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot		0.75 metres
(f)	Rear Yard Depth (minimum)	1.3 metres	6.8 metres	6.8 metres
(g)	Flankage Yard Depth (minimum)	1.0 metres		
(h)	Building Height (maximum)	12.0 metres		
(i)	Private Park Areas (minimum)	750 square metres		
(j)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit		
(k)	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling unit which may be provided on a separate lot		
(l)	Garage Requirements	Minimum one private garage per lot attached to the main building	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the common element condominium street	
(m)	Interior Garage Size (minimum)	(i) A private garage shall have a minimum width of 5.6 metres and a minimum depth of	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and	

		“MD-H17” Zone	“MD-H18” Zone	“SD-8” Zone
		5.7 metres provided, however, the width may include one interior step and the depth may include two interior steps; or (ii) A private garage may permit tandem parking and shall have a minimum width of 3.0 metres and a minimum depth of 11.0 metres provided, however the width may include two interior steps and depth may include one interior step	the depth may include two interior steps	
(n)	Driveway Width (maximum)	Not applicable	3.7 metres	6.5 metres for a lot in the shaded area as shown on Figure 1

c) Special Provisions (“MD-H17”, “MD-H18” and “SD-8” Zones)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less;

ii. A porch, uncovered deck or balcony may encroach into any required front yard to a maximum of 2.0 metres or half the distance of the required yard, whichever is less;

iii. A porch, uncovered deck, or balcony may encroach into any required flankage yard to a maximum of 2.0 metres and into any required side yard to a maximum of 1.2 metres;

iv. Stairs to porch, uncovered deck or an entrance may encroach to within 0.3 of a metre of the front lot line or flankage lot line, to within 1.0 metre of a rear lot line and to within 0.6 of a metre of a side lot line;

v. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less;

vi. Air conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City.

vii. Minimum Private Amenity Area for lands zoned “MD-H17”:

A. 6.5 square metres of amenity shall be provided on the balcony above the garage or driveway and located at the rear of the dwelling unit;

B. accessory structures such as pergolas, shed or other similar structures shall not be permitted on the balcony above the garage at the rear of the dwelling unit;

C. the private amenity area located above the garage at the rear of the dwelling unit shall not be enclosed.

d) Special Regulations (“MD-H17”, “MD-H18” and “SD-8” Zones)

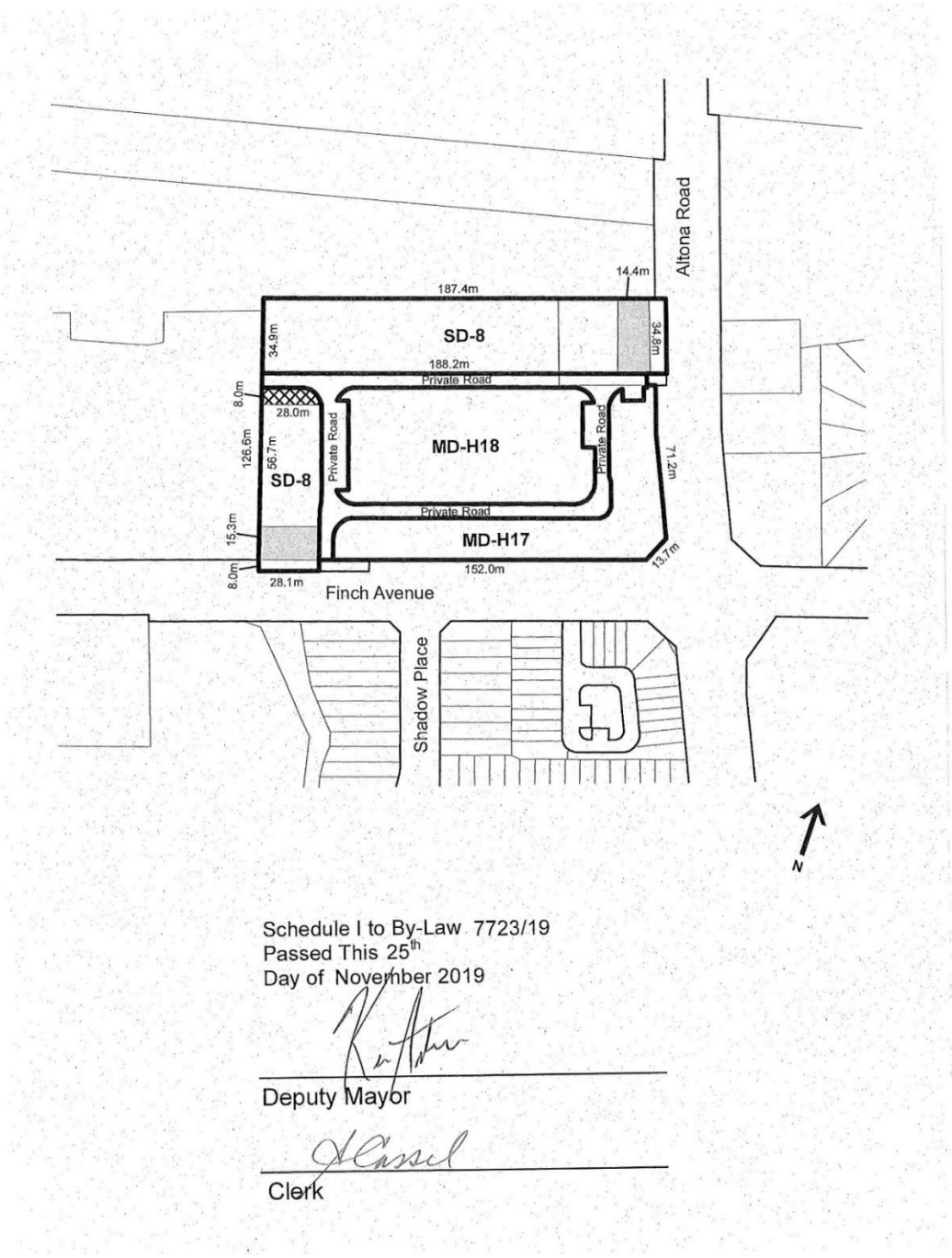
i. Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the subject lands;

ii. Despite Section 2(d)(i) above, the lot line abutting Altona Road and Finch Avenue shall be deemed to be the Front Lot Lines for the lands zoned “MD-H17”;

iii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “MD-H17”, “MD-H18” and “SD-8” zone use provisions and zone requirements;

iv. Section 5.22 of By-law 3036, as amended, shall not apply to the lands zoned “MD-H17”, “MD-H18” and “SD-8”.

3. Figure 1


Altona Road
14.4m
187.4m
34.9m
SD-8
34.8m
188.2m
Private Road
8.0m
28.0m
126.6m
56.7m
SD-8
Private Road
MD-H18
Private Road
71.2m
Private Road
15.3m
MD-H17
8.0m
28.1m
152.0m
13.7m
Finch Avenue
Shadow Place
N
Schedule I to By-Law 7723/19
Passed This 25th
Day of November 2019
Deputy Mayor
Clerk

15.130 Exception Zone 130 (By-law 7830-21)

1. Definitions

a) “Air Conditioner” shall mean any mechanical equipment which is required for residential domestic use and which must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) “Amenity Area” shall mean an outdoor area located anywhere on a lot, or the roof of a parking structure, private garage or any other building which includes landscape area, but which may also include areas of decking, decorative paving or other similar surface and includes a balcony, porch or deck and which has direct access from the interior of the dwelling unit.

c) “Balcony” shall mean an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

d) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

e) “Condominium, Common Element” shall mean spaces and features owned in common by all shareholders in a condominium and may include private streets, walkways and parking and amenity areas.

f) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

g) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

h) “Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

i) “Dwelling, Semi-Detached” shall mean a residential use building containing two attached principal dwelling units that are divided vertically, with each unit having frontage on a street, except where located within a planned unit development;

j) “Multiple Dwelling – Horizontal” shall mean a building containing three or more dwelling units attached horizontally by an above-grade wall or walls.

k) “Floor Area – Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

l) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

m) “Height, Building” shall mean the vertical distance between the Grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

n) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

o) “Lot Coverage” shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

p) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

q) “Park, Private” means a park which is maintained by a condominium corporation.

r) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

s) “Storey” means the portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge above it.

t) “Street” shall mean a public highway but does include a lane. Where a 0.3 metre reserve abuts a street, or where a daylight triangle abuts a street, for the purposes of determining setbacks the street shall be deemed to include the 0.3 metre reserve and/or the daylight triangle, however, nothing herein shall be interpreted as granting a public right of access over the 0.3 metre reserve or as an assumption of the 0.3 metre reserve as a public highway for maintenance purposes under the *Municipal Act*.

u) “Street, Private” means:

   i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

   ii. a private road condominium, which provides access to individual freehold lots;

   iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

   iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.

v) “Tandem Parking Space” means two or more parking spaces abutting each other end to end with only one having access to an aisle.

w) “Water Meter Building” shall mean a building or structure that contains devices supplied by the Region of Durham which measure the quantity of water delivered to a property.

x) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

y) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

z) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

aa) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

bb) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

cc) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

dd) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

ee) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

ff) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

gg) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions (“S4-20” and “S4-21” Zones)

a) Uses Permitted (“S4-20” and “S4-21” Zones)

No person shall within the lands zoned “S4-20” and “S4-21” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. dwelling, detached

b) Zone Requirements “S4-20” and “S4-21” Zones)

No person shall within the lands zoned “S4-20” and “S4-21” use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

		“S4-20” Zone	“S4-21” Zone
(o)	Number of Dwellings	Maximum number of dwellings: 42	
(p)	Lot Frontage (minimum)	11.3 metres	10.5 metres
(q)	Lot Area (minimum)	300 square metres	
(r)	Front Yard Depth (minimum)	4.5 metres	
(s)	Side Yard Width (minimum)	1.2 metres on one side and 0.6 metres on the other side	

		"S4-20" Zone	"S4-21" Zone
(t)	Rear Yard Depth (minimum)	(i) 7.0 metres (ii) 6.5 metres for a lot in the diagonally crossed area as shown on Figure 1 (iii) 5.0 metres for a lot in the crossed-hatched area as shown on Figure 1	
(u)	Flankage Yard Width (minimum)	2.5 metres	
(v)	Building Height (maximum)	11.0 metres	
(w)	Lot Coverage (maximum)	50 percent	
(x)	Parking Requirements (minimum)	2.0 parking spaces per dwelling, plus an additional 1.0 parking space per accessory dwelling unit	
(y)	Visitor Parking Requirements (minimum)	0.25 of a parking space per dwelling, which may be provided on a separate lot	
(z)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the common element condominium street or sidewalk	
(aa)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 5.4 metres and a minimum depth of 5.9 metres provided, however, the width may include one interior step and the depth may include two interior steps	
(bb)	Driveway Width (maximum)	5.8 metres	
(cc)	Private Park Areas (minimum)	240 square metres	

c) Obstruction of Yards (“S4-20” and “S4-21” Zones)

i. Projections such as window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less;

ii. Eaves and eave troughs may be permitted in any yard, provided that no such feature projects into the required yard more than 0.45 of a metre;

iii. An uncovered deck, covered or uncovered porch and associated stairs may encroach into any required front yard to a maximum of 2.5 metres;

iv. A covered or uncovered porch may encroach into any required flankage yard to a maximum of 2.0 metres or half the distance of the required yard, whichever is less;

v. Stairs to a covered or uncovered porch may encroach to within 0.6 of a metre of a flankage lot line;

vi. An uncovered porch or uncovered deck, and uncovered stairs, may encroach a maximum of 2.5 metres into any required rear yard;

vii. Stairs to an entrance may encroach to within 0.6 of a metre of a side lot line;

viii. Uncovered decks, uncovered balconies and associated stairs having access from a second storey are not permitted, except:

A. On lots within the diagonally crossed area and crossed-hatched area on Figure 1, where they are permitted to encroach a maximum of 3.0 metres into the required rear yard; or,

B. Where a minimum setback of 7.0 metres can be maintained between the rear lot line and the nearest limit of the uncovered deck and associated stairs or uncovered balcony;

ix. A bay, box or bow window, with or without foundation, having a maximum width of 4.0 metres may encroach into any required front, rear or flankage yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less;

x. Eaves or eaves troughs located on or as part of a permitted bay, box or bow window may encroach an additional 0.45 of a metre into the required yard;

xi. Stairs to a below grade access are permitted to encroach a maximum of 2.0 metres into any required rear yard;

xii. Air conditioners are permitted on a lot provided they are located in the rear yard or side yard. Such units shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City.

d) Special Regulations (“S4-20” and “S4-21” Zones)

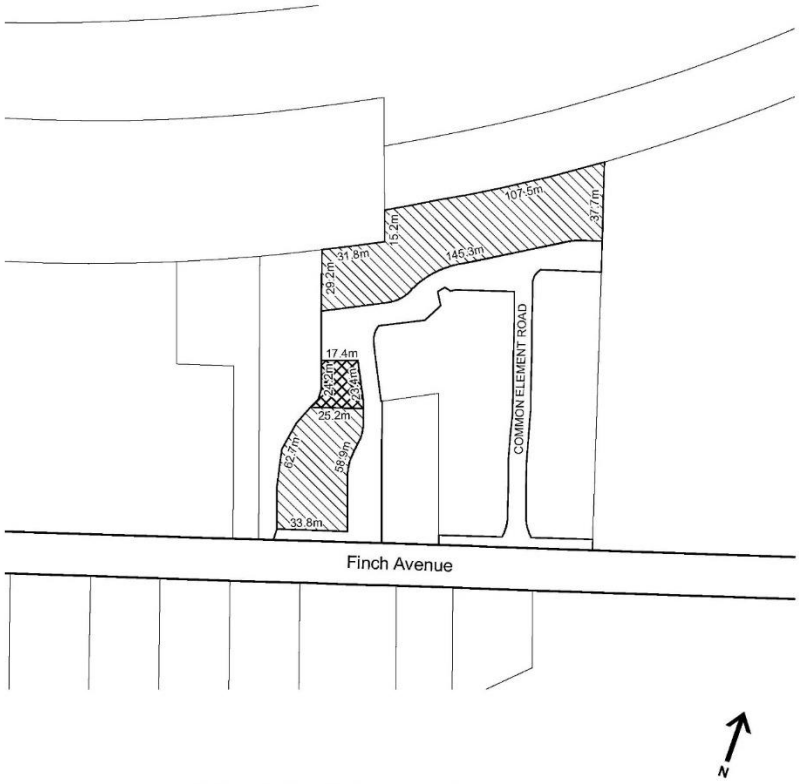
i. Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the subject lands;

ii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “S4-20” and “S4-21” zone use provisions and zone requirements;

iii. One accessory dwelling unit is permitted within each detached dwelling as permitted by Section 2(a)(i), provided that such accessory dwelling unit does not exceed 150 square metres;

iv. Section 5.22 of By-law 3036, as amended, shall not apply to the lands zoned “S4-20” and “S4-21”.

5. Figure



Schedule II to By-Law 7830/21
Passed This 22nd
Day of March 2021

Mayor

Clerk

15.131 Exception Zone 131 (By-law 7841-21)

1. Definitions

a) “Air Conditioner” means any mechanical equipment which is required for residential use and must be installed outdoors including central air conditioning units, heat pumps, heat exchange units, emergency generators and other such equipment.

b) “Balcony” means an attached covered or uncovered platform projecting from the face of an exterior wall, including above a porch, which is only directly accessible from within a building, usually surrounded by a balustrade or railing, and does not have direct exterior access to grade.

c) “Basement” means a portion of a building below the first storey.

d) “Bay, Bow, Box Window” means a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

e) “Condominium, Common Element” means spaces and features owned in common by all stakeholders in a condominium and may include private streets, walkways and parking and amenity areas.

f) “Deck” means a raised platform attached to the exterior wall of a building and with direct access from within a building and from grade.

g) “Grade” or “Established Grade” means, when used with reference to a building, the average elevation of the finished surface of the ground where it meets the exterior of the front of such building and when used with reference to a structure shall mean the average elevation of the finished surface of the ground immediately surrounding such structure, exclusive in both cases of any artificial embankment.

h) “Parapet Wall” means the portion of an exterior wall extending above the roof.

i) “Porch” means a roofed deck or portico structure attached to the exterior wall of a building; a basement may be located under the porch.

j) "Private Garage" means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

k) “Street, Private” means:

i. a right-of-way or roadway that is used by vehicles and is maintained by a condominium corporation;

ii. a private road condominium, which provides access to individual freehold lots;

iii. a roadway maintained by a corporation to provide vehicular and pedestrian access to parking lots and individual retail/commercial units;

iv. a private right-of-way over private property, that affords access to lots abutting the private street, but is not maintained by a public body and is not a lane.

l) “Wall, Front” means a primary exterior wall of a building, not including permitted projections, which contains the primary entrance door.

m) “Water Meter Building” means a building or structure that contains devices supplied by the Region of Durham which measures the quantity of water delivered to a property.

n) "Front Yard Depth" means the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" means the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard Width" means the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Flankage Side Yard Width" means the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted (“S3-17” and “R4-23” Zone)

No person shall within the lands zoned “S3-17” and “R4-23”, use any lot or erect, alter, or use any building or structure for any purpose except the following

i. Detached dwelling

b) Zone Requirements (“S3-17” and “R4-23” Zone)

No person shall within the lands zoned “S3-17” and “R4-23” use any lot or erect, alter or use any building except in accordance with the following provisions:

		“S3-17” Zone	“R4-23” Zone
(i)	Lot Area (minimum)	350 square metres	430 square metres
(ii)	Lot Frontage (minimum)	12.0 metres	13.5 metres
(iii)	Front Yard Depth (minimum)	4.5 metres	7.5 metres
(iv)	Side Yard Width (minimum)	1.2 metres, and 0.6 of a metre on the other side	1.5 metres
(v)	Flankage Side Yard Width (minimum)	3.0 metres	4.5 metres
(vi)	Rear Yard Depth (minimum)	7.5 metres	
(vii)	Building Height (maximum)	9.0 metres	
(viii)	Lot Coverage (maximum)	38 percent	33 percent
(ix)	Parking Requirements (minimum)	A minimum of 2 residential parking spaces per dwelling unit, one of which must be provided within an attached private garage, and 0.25 visitor parking spaces per dwelling unit	A minimum of 2 residential parking spaces per dwelling unit, one of which must be provided within an attached private garage
(x)	Driveway Width (maximum)	Maximum driveway width shall not exceed the width of the exterior walls of the private garage	

		“S3-17” Zone	“R4-23” Zone
(xi)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6 metres from the front lot line	
(l)	Interior Garage Size (minimum)	Each parking space within a private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided; however, the width may include one interior step and the depth may include two interior steps	
(m)	Garage Projection	A maximum of 1.5 metres projection beyond the wall containing the main entrance to the dwelling unit	

c) Special Provisions (“S3-17” and “R4-23” Zone)

i. Projections such as window silts, chimney breasts, fireplaces, belt courses, cornices, plasters, eaves, eave troughs and other similar architectural features may be permitted in any required yard, provided that no such feature projects into the required yard more than 0.6 of a metre or half the distance of the required yard, whichever is less;

ii. Porches and associated stairs not exceeding 1.5 metres in height above established grade may encroach a maximum of 2.0 metres into the required front yard.

iii. Decks and associated stairs not exceeding 1.0 metre in height above grade may encroach a maximum of 2.0 metres into the required rear yard provided they are setback 0.6 of a metre from a side lot line;

iv. A bay, box or bow window, with or without foundations, having a maximum width of 4.0 metres may encroach into any required yard to a maximum of 0.6 of a metre or half the distance of the required yard, whichever is less;

v. Air conditioners are permitted on a lot provided they are located in the rear yard or side yard or on a balcony or roof. In addition, such units shall not be located any closer than 0.6 of a metre to a side lot line and shall not be located on any easement in favour of the City;

vi. Despite any front yard depth, rear yard depth or flankage side yard width requirement; on a corner lot, the setback to a corner rounding at the front, rear, side or flankage of a lot shall be 2.5 metres;

vii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempt from “S3-17” and “R4-23” zone use provisions and zone requirements.

d) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Preservation and conservation of the natural environmental, soil and wildlife.

e) Zone Requirements (“OS-HL” Zone)

i. No buildings or structures shall be permitted to be erected nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian and/or bicycle trails.

15.132 Exception Zone 132 (By-law 7937-22)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door.

b) “Dwelling, Semi Detached or Semi-Detached Dwelling” shall mean one of a pair of single dwellings, such as dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade.

c) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

d) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

e) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

f) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

g) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

h) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

i) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

j) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

k) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

l) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

m) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

2. Provisions

a) Uses Permitted (“R3/SD” Zone)

No person shall within the lands zoned “R3/SD”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwellings subject to the provisions of By-law 3036, as amended, except that the Maximum Building Height shall be 10.0 metres;

i. semi-detached dwellings

b) Zone Requirements for semi-detached dwellings:

(i)	Lot Area (minimum)	350 square metres
(ii)	Lot Frontage (minimum)	7.5 metres
(iii)	Front Yard Depth (minimum)	7.5 metres
(iv)	Side Yard Depth (minimum)	(i) 1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot. (ii) 1.8 metres to the north lot line for a lot in the diagonally hatched area as shown on Figure 1
(v)	Rear Yard Depth (minimum)	7.5 metres

(vi)	Lot Coverage (maximum)	36 percent
(vii)	Building Height (maximum)	10 metres
(viii)	Parking Requirements (minimum)	2 parking spaces per dwelling unit
(ix)	Garage Requirements	Minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line.
(x)	Interior Garage Size (minimum)	A private garage shall have a minimum width of 3.0 metres and a minimum depth of 6.0 metres provided, however, the width may include one interior step and the depth may include two interior steps

3. Special Regulations

The following special provisions shall apply to lands zoned “R3/SD”:

a) Obstruction of Yards (maximum):

i. uncovered and covered unenclosed porches and associated stairs not exceeding 1.5 metres in height above established grade may encroach a maximum of 2.0 metres into the minimum required front or flankage yard;

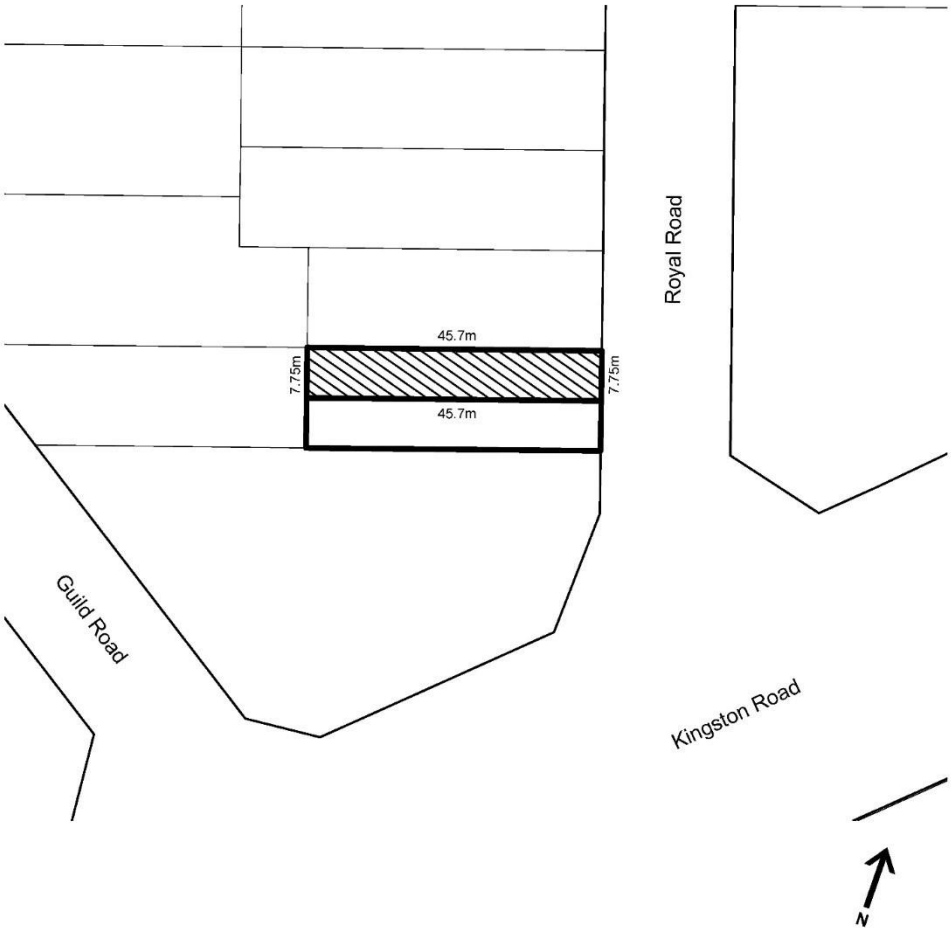
ii. uncovered balconies, decks and associated stairs, not exceeding 1.5 metres in height above grade may encroach a maximum of 3.0 metres into the required rear yard, provided they are setback 0.6 metres from a side lot line;

iii. balconies located above the first floor projecting or inset in the rear are prohibited;

iv. bay, box or bow window, with or without foundation, having a width of up to 4.0 metres may encroach a maximum of 0.6 metres into any required yard or half the required side yard, whichever is less; and

v. window sills, chimney breasts, fireplaces, belt courses, cornices, pilasters, eaves, eaves troughs, and other similar architectural features are permitted to project a maximum of 0.6 metres into any required yard and are required to be setback 0.6 metres from a side lot line.

4. Figure 1



Schedule II to By-Law 7937/22
Passed This 24th
Day of May 2022

Mayor

Clerk

15.133 Exception Zone 133 (By-law 6005-02)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S1-14" Zone)

No person shall within the lands zoned "S1-14", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1- 14" Zone)

No person shall within the lands zoned "S1-14", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot;

B. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage.

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building;

B. any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street; and,

C. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

xi. SPECIAL REGULATION:

Notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres in depth into the required rear yard of a lot provided no part thereof exceeds 6.0 metres in width.

15.134 Exception Zone 134 (By-law 6010-02, as amended by By-law 6188-03)

1. Definitions

   a) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) “Multiple Dwelling-Vertical” shall mean a building containing three or more dwelling units attached horizontally and vertically by an above grade wall or walls, or an above grade floor or floors or both;

   d) “Multiple Dwelling-Horizontal” shall mean a building containing three or more dwelling units attached horizontally by an above-grade wall or walls, or an above grade floor or floors or both;

   e) “Floor Area – Residential” shall mean the aggregate of the floor area of all storeys of a building or structure or part thereof as the case may be, other than a private garage, an attic or a cellar;

   f) “Gross Floor Area – Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   i) “Storey” shall mean that portion of a building other than a basement, cellar, attic, or below-grade parking structure, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

2. Provisions (“RMM-4” Zone)

   a) Uses Permitted (“RMM-4” Zone)

      No person shall, within the lands zoned “RMM-4”, use any building or structure for any purpose except the following:

      i. multiple dwelling – vertical, only on lands cross-hatched on Figure 1;

ii. multiple dwelling – horizontal

b) Zone Requirements (“RMM-4” Zone)

No person shall, within the lands zoned “RMM-4”, use any building or structure except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. No multiple dwelling - vertical or multiple dwelling - horizontal shall be erected outside the building envelope shown on Figure 2;

B. Clause 5.18 (a) of By-law 3036, as amended, shall not apply to lands zoned “RMM-4”;

C. No building or part of a building or buildings shall be erected within the lands zoned “RMM-4”, unless 75% of the length of the build-to-zone contains a building or part of a building or buildings;

D. The building envelope and build-to-zone of the lands shown on Figure 2 shall be measured from said property lines;

E. No multiple dwelling horizontal building adjacent to Sheppard Avenue shall contain more than 4 dwelling units;

F. The horizontal distance between multiple dwelling buildings shall be a minimum of 2.5 metres;

G. Despite any of the setback or build-to-zone provisions of this By-law, a setback of 0.5 of a metre is permitted for underground buildings and structures, or parts thereof;

H. Despite section 5.7(b) of By-law 3036, covered and unenclosed porches, verandahs, flankage entrance features and bay windows with or without foundations, may project no more than 1.5 metres beyond the building envelope;

I. Section 5.6 and Clause 5.22 (5) of By-law 3036, as amended, shall not apply to lands zoned “RMM-4”.

ii. BUILDING HEIGHT:

A. Within the cross-hatched area shown on Figure 1, the minimum building height shall be 3 functional storeys and the maximum building height shall be 18 metres and 4 storeys;

B. Within the area not cross-hatched on Figure 1, the maximum building height shall be 12.0 metres and 3 storeys;

C. Despite Clause 2(b)ii.B. above, on lands fronting Sheppard Avenue not within the cross-hatched area shown on Figure 1, the maximum building height shall be 11 metres and 2 storeys for the facades of buildings facing Sheppard Avenue;

D. Dwelling units adjacent to Sheppard Avenue and Whites Road shall have their main front doors oriented to Sheppard Avenue or Whites Road.

iii. DWELLING UNIT REQUIREMENTS:

A maximum of 55 units per net hectare shall be permitted within the lands zoned “RMM-4”.

iv. PARKING REQUIREMENTS:

A. Despite clauses 6.5 (b) and 6.5 (c) of By-law 3036, as amended, there shall be provided and maintained on the lands one private garage attached to the building, one parking space located between the vehicular entrance of the private garage and the nearest traffic aisle, and a minimum of 0.25 visitor parking spaces for each dwelling unit;

B. Clauses 5.21.2 (a), (b), (c), (e), (f) and (i) of By-law 3036, as amended, shall not apply to lands zoned “RMM-4”;

C. Despite clauses 5.21.2 (g) and 5.21.2 (k) of By-law 3036, as amended, all entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

3. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

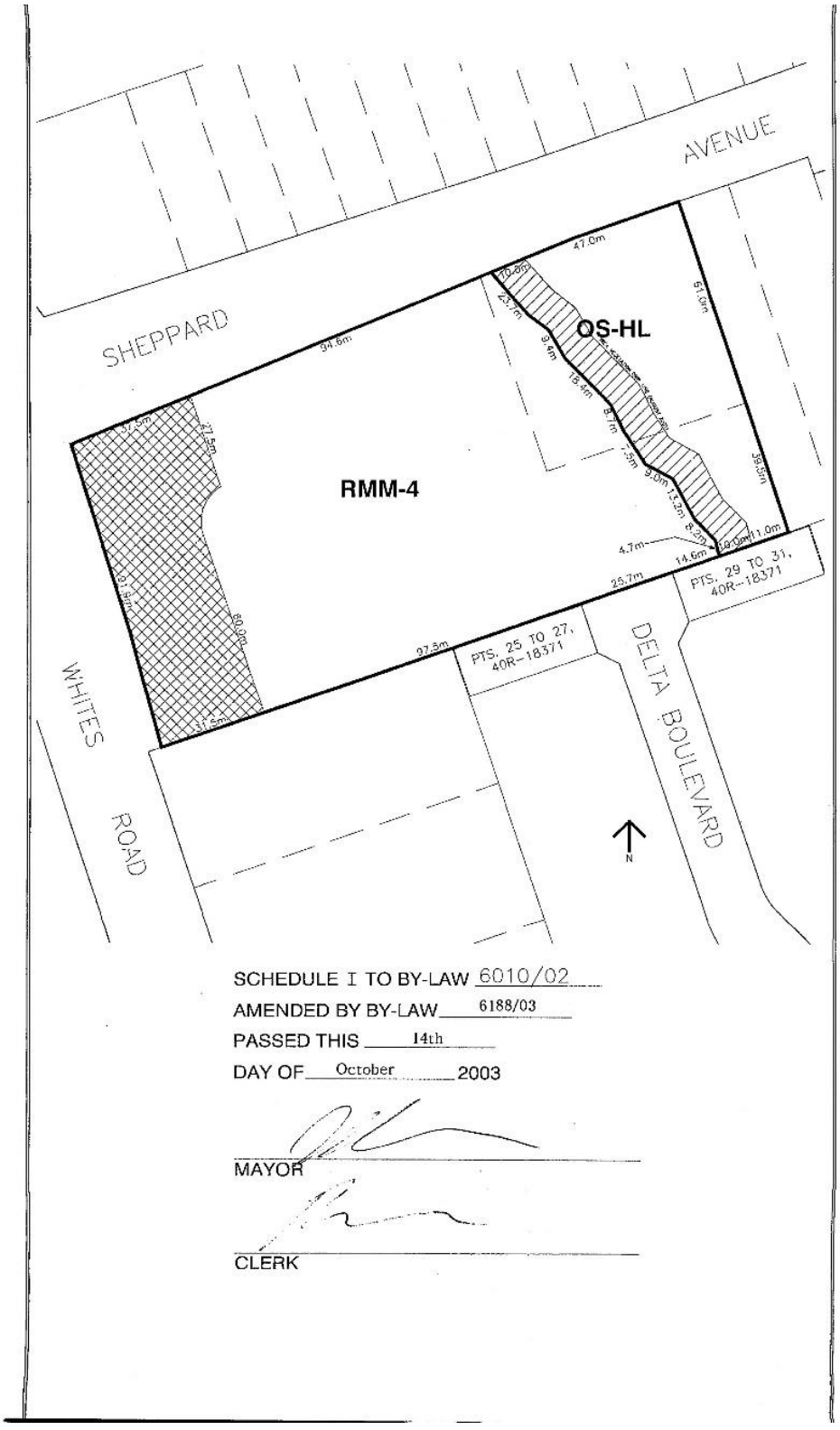
iii. pedestrian trails & walkways;

b) Zone Requirements (“OS-HL” Zone)

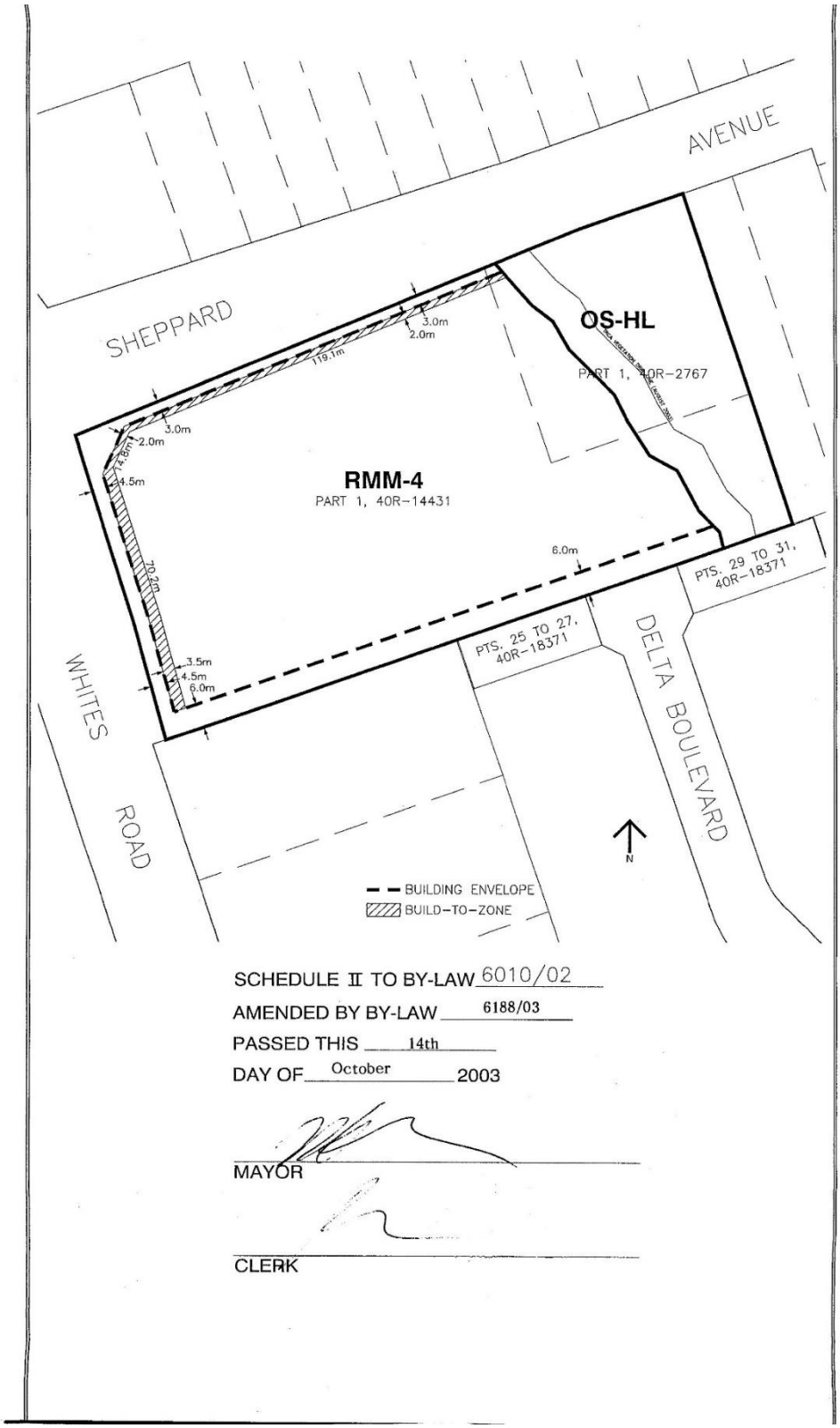
i. No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

ii. Despite Clause i. above, tot lots, visitor parking spaces and associated traffic aisles are permitted within the diagonally hatched area as illustrated on Figure 1 attached hereto.

4. Figure 1


AVENUE
SHEPPARD
OS-HL
RMM-4
PTS. 29 TO 31, 40R-18371
PTS. 25 TO 27, 40R-18371
DELTA BOULEVARD
WHITES ROAD
N
SCHEDULE I TO BY-LAW 6010/02
AMENDED BY BY-LAW 6188/03
PASSED THIS 14th
DAY OF October 2003
MAYOR
CLERK

5. Figure 2


AVENUE
SHEPPARD
OS-HL
PART 1, 40R-2767
RMM-4
PART 1, 40R-14431
3.0m
2.0m
119.1m
4.5m
70.2m
6.0m
PTS. 29 TO 31, 40R-18371
PTS. 25 TO 27, 40R-18371
DELTA BOULEVARD
WHITES ROAD
3.5m
4.5m
6.0m
N
BUILDING ENVELOPE
BUILD-TO-ZONE
SCHEDULE II TO BY-LAW 6010/02
AMENDED BY BY-LAW 6188/03
PASSED THIS 14th
DAY OF October 2003
MAYOR
CLERK

15.135 Exception Zone 135 (By-law 6027-02)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S3-7" Zone)

No person shall within the lands zoned "S3-7", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling;

b) Zone Requirements ("S3-7" Zone)

No person shall within the lands zoned "S3-7", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres;

ii. LOT FRONTAGE (minimum): 12.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. SIDE YARD WIDTH (minimum):

A. 1.2 metres one side and 0.6 metres on the other side;

B. despite paragraph A. above, where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.6 metres on the other side;

v. FLANKAGE SIDE YARD WIDTH (minimum):

A. for lots flanking on Fairport Road: 4.5 metres;

B. for all other lots: 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. BUILDING HEIGHT (maximum): 9.0 metres;

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

ix. PARKING & PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot;

B. any vehicular entrance for a private garage shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

C. a detached private garage shall be located in the rear yard or the side yard, but no part of a private detached garage shall be located in the front yard;

D. no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

E. where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of an attached private garage, no part of any attached private garage shall extend more than 6.0 metres beyond the wall containing the main entrance to the dwelling unit;

x. SPECIAL REGULATIONS:

A. despite the provisions of Section 2(b)(ii) of this By-law unenclosed porches not exceeding 1.5 metres in height above established grade, with or without floor space below, may encroach a maximum of 1.5 metres into a required minimum front yard and minimum flankage side yard and a maximum of 0.6 metres into a required side yard where the side yard is a minimum of 1.2 metres;

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

iii. pedestrian trails and walkways

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.136 Exception Zone 136 (By-law 6057-02)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres;

   f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S5-2" Zone)

No person shall within the lands zoned "S5-2", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("S5-2" Zone)

No person shall within the lands zoned "S5-2", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres;

ii. LOT FRONTAGE (minimum): 9.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. SIDE YARD WIDTH (minimum): 1.2 metres one side and 0.6 metres on the other side;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 48 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

2) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of an attached private garage, no part of any attached private garage shall extend more than 6.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. despite section 5.7 of By-law 3036, uncovered steps and platforms not exceeding 2.0 metres in height shall be permitted to project a maximum of 1.5 metres into a required rear yard; and

B. a bay window shall be permitted to project a maximum of 0.6 metres into any required flankage side yard.

c) Uses Permitted ("SD-7" Zone)

No person shall within the lands zoned "SD-7", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use;

d) Zone Requirements ("SD-7" Zone)

No person shall within the lands zoned "SD-7", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 205 square metres;

ii. LOT FRONTAGE (minimum): 7.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, or a direct extension thereof, shall be set back from the lot line separating such lots as follows;

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.0 metres;

vii. LOT COVERAGE (maximum): 50 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

xi. SPECIAL REGULATIONS:

A. despite section 5.7 of By-law 3036, uncovered steps and platforms not exceeding 2.0 metres in height shall be permitted to project a maximum of 1.5 metres into a required rear yard; and

B. a bay window shall be permitted to project a maximum of 0.6 metres into any required flankage side yard.

e) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

iii. pedestrian trails and walkways;

f) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.137 Exception Zone 137 (By-law 6123-03)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S4-8" Zone)

No person shall within the lands zoned "S4-8", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("S4-8" Zone)

No person shall within the lands zoned "S4-8", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres;

ii. LOT FRONTAGE (minimum): 10.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. SIDE YARD WIDTH (minimum): 1.2 metres one side and 0.6 metres on the other side;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 48 percent;

viii. BUILDING HEIGHT (maximum): 9.0 metres;

ix. GROSS FLOOR AREA (minimum): 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

2) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of an attached private garage, no part of any attached private garage shall extend more than 6.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. despite section 5.7 of By-law 3036, uncovered steps and platforms not exceeding 2.0 metres in height shall be permitted to project a maximum of 1.5 metres into a required rear yard; and

15.138 Exception Zone 138 (By-law 6164-03)

1. Definitions

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to or zoned to appeal to erotic or sexual appetites or inclinations;

b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

c) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

d) “Dry Cleaning Depot” shall mean a building or part of a building used for the purpose of receiving articles, goods or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes;

e) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged, and which includes a chartered bank or a branch thereof;

f) **“**Floor Area” shall mean the aggregate of the floor surface contained within the outside walls of a storey;

g) “Gross Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

h) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

i) “Laundromat” shall mean a self-serve clothes washing establishment containing washing, drying, ironing, finishing or other incidental equipment;

j) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio,

but shall not include a bodyrub parlour as defined in The Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

k) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician but shall not include a body rub parlour as defined in The *Municipal Act*, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

l) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises or off the premises, or both on and off the premises; and,

m) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public.

2. Provisions

a) Uses Permitted (“C18” Zone)

No person shall, within the lands zoned “C18” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. bakery;

ii. business office;

iii. dry cleaning depot;

iv. financial institution;

v. laundromat;

vi. personal service shop;

vii. professional office;

viii. restaurant, type A;

ix. retail stores.

b) Zone Requirements (“C18” Zone)

No Person shall, within the lands zoned “C18”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. BUILDING RESTRICTIONS

A. Buildings and Structures shall be located entirely within the building envelope illustrated on Figure 1;

B. For the purpose of this clause, the building envelope shown on Figure 1 shall be measured from the property lines;

C. Building Height: maximum 9.0 metres.

ii. OPEN STORAGE

All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display permitted.

iii. PARKING REQUIREMENTS

A. A minimum of 5.5 parking spaces shall be provided and maintained on lands zoned “C18” for every 100 square metres of gross leasable floor area or part thereof;

B. Clauses 5.21.2 (a), (b), (c) and (e) inclusive, of Bylaw 3036, as amended, shall not apply to the lands zoned “C18”;

C. Despite Clauses 5.21.2 (g) and 5.21.2 (k) of By-law 3036, as amended, all entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete or any combination thereof; and,

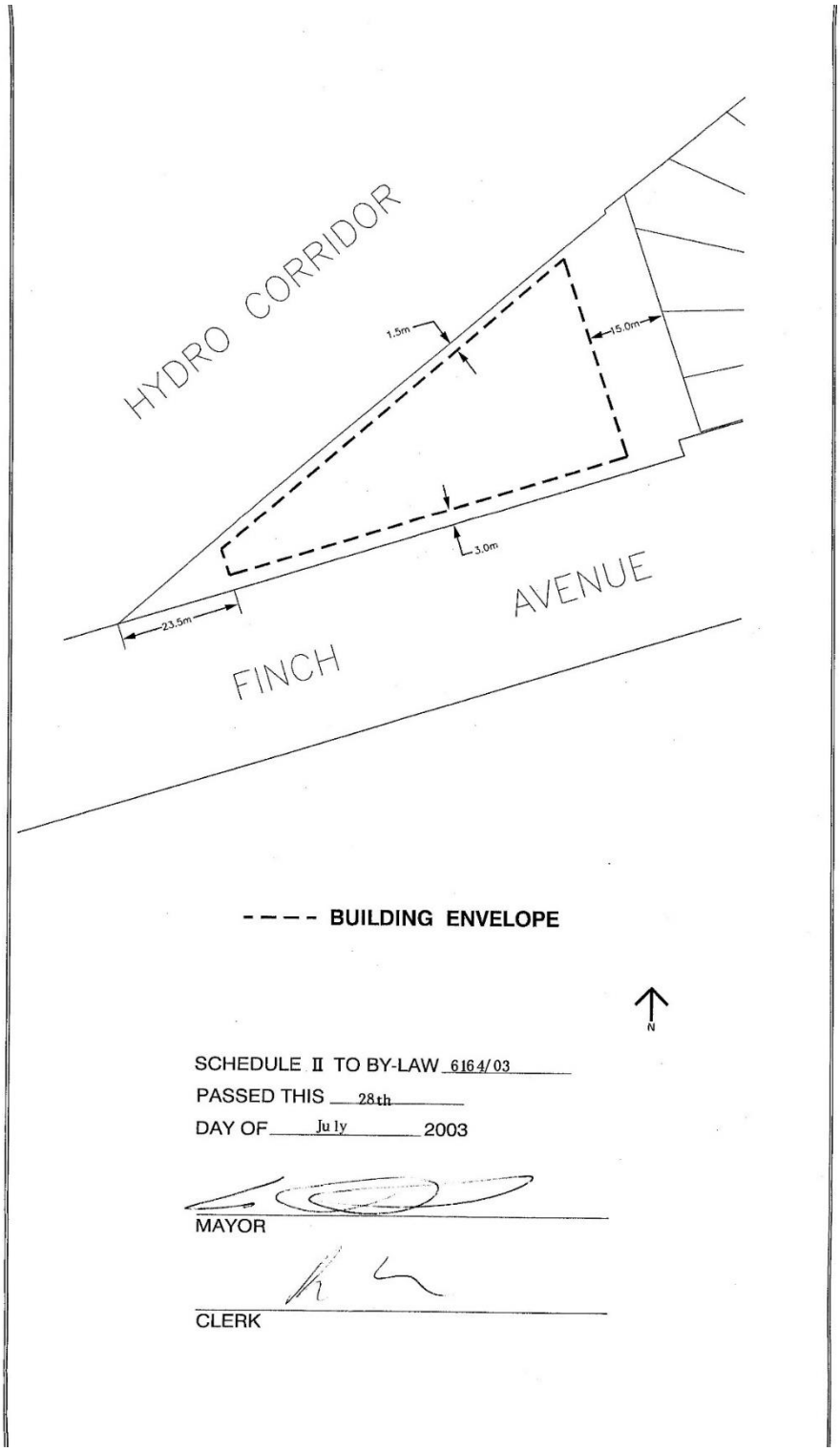
D. All parking spaces shall be set back a minimum of 3.0 metres from Finch Avenue and the easterly boundary of the lands zoned “C18”.

iv. SPECIAL RESTRICTIONS:

A. No drive-through facility shall be permitted in association with any of the uses permitted on the lands zoned “C18”; and,

B. The gross floor area of restaurant Type ‘A’ uses on the lot shall not exceed 220 square metres.

3. Figure 1


HYDRO CORRIDOR
1.5m
15.0m
3.0m
23.5m
FINCH
AVENUE
---- BUILDING ENVELOPE
N
SCHEDULE II TO BY-LAW 6164/03
PASSED THIS 28th
DAY OF July 2003
MAYOR
CLERK

15.139 Exception Zone 139 (By-law 6176-03)

1. Definitions

   a) "Build-to-zone" shall mean an area of land in which all or part of a building elevation of one or more buildings is to be located; ·

   b) "Day Nursery" shall mean. lands and premises duly licensed pursuant to the provisions of the Day Nurseries. Act, or any successor thereto, for use as a facility for the daytime care of children; ·

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   f) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   g) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;

   h) "Dwelling, Single Attached or Single Attached Dwelling" shall mean one of a group of not less than three adjacent dwellings attached together horizontally by an above grade common wall; ·

   i) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above grade wall or walls, or an above grade floor or floors or both;

   j) "Floor Area - Residential" shall mean the aggregate of the floor area of all storeys of a building or structure or part thereof as the case may be, other than a private garage, an attic or a cellar; ·

   k) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   l) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a

public park or open space area, regardless of whether or not such lot constitutes the· whole of a lot or block on a registered plan of subdivision;

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

n) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distance from the front lot line;

o) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

p) "Recreation Facility" shall mean a place designed and equipped for the conduct of sports, leisure time activities and other customary and usual recreational activities, and uses accessory thereto;

q) "Storey" shall mean that portion of a building other than a basement, cellar, attic, or below grade parking structure, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

r) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street; and the nearest wall of the nearest main building or structure on the lot;

u) "Front Yard" shall mean a yard extending across the 'full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

v) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

w) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

x) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot or where there is no rear lot

line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

y) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot; ·

z) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

aa) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions (“S-SD-3" Zone)

a) Uses Permitted ("S-SD-3" Zone)

No person shall within the lands zoned "S-SD-3”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

ii. semi-detached dwelling residential use;

b) Zone Requirements (“S-SD-3” Zone)

No person shall within the lands zoned "S-SD-3”, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 205 square metres;

ii. LOT FRONTAGE (minimum): 7.5 metres;

iii. FRONT YARD DEPTH: (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. detached dwelling residential use:

1) 0.3 of a metre one side, and 1.2 metres on the other side;

2) despite 1) above, where a side lot line abuts a public walkway a minimum 1.2 metre side yard is required;

3) despite 1) above, no detached dwellings shall be constructed so that the 0.3 m side yard width abuts a neighbouring 0.3 m side yard width.

B. semi-detached dwelling residential use:

1) 1.2 metres; and

2) on the side where dwellings on adjacent lots are attached, no side. yard is required, provided any wall other than the common wall that is on the side of the lot upon which the

dwellings are attached, shall be set back from the lot line separating such lots as follows:

3) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or·

4) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REARYARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 50 percent;

viii. BUILDING HEIGHT:

A. (maximum): 12.0 metres

ix. DWELLING UNIT REQUIREMENTS:

A. minimum gross floor area - residential of 100 square metres;

x. OBSTRUCTION OF YARDS:

A. Despite section 5.7(b) of By-law 3036, covered and unenclosed porches, verandahs and flankage entrance features note; exceeding 1.5 metres in height above the established grade may project no more than:

1) 1.5 metres into any required front yard or rear yard;

2) 1.5 metres into any required flankage side yard;

3) 0.6 metres into any required side yard;

B. Notwithstanding section 2(b)(x)(A) above, for those lots backing onto lands zoned OS-P, or the Hydro Corridor, covered and enclosed porches, verandahs and flankage entrance features not exceeding 3.5 metres in height above the established grade may project no more than 2.5 metres into any rear yard, and shall have a maximum width of 5.0 metres.

xi. PARKING REQUIREMENTS:

A. a minimum of one private garage shall be provided per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except:

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main

entrance to the dwelling, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or·

2) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of any attached private garage, no part of any attached private garage shall extend more than 4.5 metres beyond the wall containing the main entrance to the dwelling unit;

C. width of garage entrance (maximum): 3.1 metres;

3. Provisions ("SA-12" Zone)

a) Uses Permitted ("SA-12" Zone)

No person shall, within the lands zoned "SA-12", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single attached dwelling residential uses on lands zoned "SA-12"

b) Zone Requirements ("SA-12" Zone)

No person shall, within the lands zoned "SA-:12", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands zoned "SA-12" 180 square metres;

ii. LOT FRONTAGE (minimum):

A. on lands zoned "SA-12" 6 metres;

iii. FRONT YARD DEPTH: (minimum)

A. on lands zoned "SA-12" 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

1) on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, shall be set back from the lot line separating such lots as follows:

2) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

3) 0.6 of a metre measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REARYARD DEPTH (minimum): 7.5 metres;

vii. OBSTRUCTION-OF YARDS:

A. Despite section 5.7(b) of By-law 3036, covered and unenclosed porches, verandahs and flankage entrance features not exceeding 1.5 metres in height above the established grade may, project no more than:

1) 1.5 metres into any required front or rear yard;

2) 1.5 metres into any required flankage side yard;

3) 0.6 metres into any required side yard;

B. Notwithstanding section 3(b)(vii)(A)above, for those lots backing onto lands zoned OS-P, or the Hydro Corridor, covered and enclosed porches, verandahs and flankage entrance features not exceeding 3.5 metres in height above the established grade may project no more than 2.5 metres into any rear yard, and shall have a maximum width of 5.0 metres.

viii. BUILDING HEIGHT:

A. maximum: 12.0 metres

ix. DWELLING UNIT REQUIREMENTS:

A. minimum gross floor area - residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. on the lands zoned "SA-12”:

1) a minimum of one private garage shall be provided per lot, any vehicular entrance to which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

2) no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except:

3) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from. The wall containing the main entrance to the dwelling, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

4) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main

entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of any attached private garage, no part of any attached private garage shall extend more than 4.5 metres beyond the wall containing the main entrance to the dwelling unit.

4. Provisions ("SA-21" Zone)

a) Uses Permitted ("SA-21" Zone)

No person shall, within the lands zoned "SA-21", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single detached dwelling residential uses on lands zoned "SA-21"

b) Zone Requirements ("SA-21" Zone)

No person shall, within the lands zoned "SA-21", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands zoned "SA-21" 250 square metres;

ii. LOT FRONTAGE (minimum):

A. on lands zoned "SA-21" 10.0 metres;

iii. FRONT YARD DEPTH (minimum)

A. on lands zoned "SA-21" 4.5 metres;

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

1) on the side where dwellings on adjacent lots are attached; no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, shall be set back from the lot line separating such lots as follows:

2) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

3) 0.6 of a metre measured perpendicularly to such side lot • line if a side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. OBSTRUCTION OF YARDS:

A. Despite section 5.7(b) of By-law 3036, covered and unenclosed poches, verandahs and flankage entrance features not exceeding 1.5 metres in height above the established grade may project no more than:

1) 1.5 metres into any required front or rear yard;

2) 1.5 metres into any required flankage side yard;

3) 0.6 metres into any required side yard;

B. Notwithstanding section 4(b)(vii)(A) above, for those lots backing onto lands zoned OS-P, or the Hydro Corridor, covered and enclosed porches, verandahs and flankage entrance features not exceeding 3.5 metres in height above the established grade may project no more than 2.5 metres into any rear yard, and shall have a maximum width of 5.0 metres.

viii. BUILDING HEIGHT:

A. maximum: 12.0 metres

ix. DWELLING UNIT REQUIREMENTS:

A. minimum gross floor area - residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. on the lands zoned "SA-21":

1) a minimum of one private garage shall be provided per lot, any vehicular entrance to which shall be located not less than 6.0 metres from the front lot line and not less than 6:0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

2) no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except:

3) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

4) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of any attached private garage, no part of any attached private

garage shall extend more than 4.5 metres beyond the wall containing the main entrance to the dwelling unit.

5. Provisions ("RC" Zone and "OS-P" Zone)

   a) Uses Permitted (' RC" Zone and "OS-P" Zone)

      No person shall, within the lands zoned "RC" and "OS-P", use any lot or erect, alter or use any building or structure for any purpose except for a recreation facility and uses accessory thereto;

   b) Zone Requirements ("RC" Zone and "OS-P")

      No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed except where buildings or structures are to be used for the purpose of a recreation facility and uses accessory thereto.

6. By-law 3036

   Clauses 5.9 and 5.22 of By-law 3036 shall not apply to the land designated "S-SD-3", "SA-12" and "SA-21".

15.140 Exception Zone 140 (By-law 6526-05)

1. Provisions

   a) Despite the height requirement provision of Subsection 5.9 of By-law 3036, the yard requirement provision of Subsection 5.22 of By-law 3036, the corner lot provision of Subsection 6.4 of By-law 3036, the side yard requirement provision of Subsection 10.2.3 of By-law 3036, and the lot coverage provision of Subsection 10.2.6 of By-law 3036, where any lot having frontage on Rougemount Drive on lands known as Part of Lot 33, Plan 228 in the City of Pickering, is used for a detached dwelling, the following provisions shall apply:

      i. Dwelling Height (maximum): 9.0 metres

      ii. Side Yard Width (minimum): 1.2 metres

      iii. Flankage Side Yard Width (minimum): 4.5 metres

      iv. Lot Coverage (maximum): 38%

      v. No part of any attached private garage shall extend more than 2.0 metres beyond the front wall of the dwelling to which it is attached;

      vi. Despite iii. above, where a single-storey, covered and enclosed verandah or porch having no habitable space above it is attached to the flankage side of the dwelling unit, such verandah or porch may extend a maximum of 1.5 metres in the required minimum flankage side yard width.

15.141 Exception Zone 141 (By-law 6370-04)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above-grade wall or walls;

   d) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   e) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   h) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   i) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   j) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   k) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

r) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("MD-H5" Zone)

No person shall within the lands zoned "MD-H5", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. multiple dwelling-horizontal;

b) Zone Requirements ("MD-H5" Zone)

No person shall within the lands zoned " MD-H5", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. BUILDING REQUIREMENTS:

A. Number of Dwelling Units (maximum): 132

B. Building Height (maximum):12.0 metres

C. Dwelling Unit Width (minimum): 5.5 metres

D. Lot Coverage (maximum): 40 percent

E. Dwelling Unit Requirements:

1) Maximum one dwelling unit per lot;

2) Minimum gross floor area residential of 100 square metres;

F. Building Location and Setbacks:

1) No building, part of a building, structure or part of a structure shall be erected except within the limits of the building envelope illustrated on Figure 1;

2) Despite paragraph 1) above, buildings or structures associated with permitted mechanical, recreational, security, parking, refuse storage and other ancillary residential facilities shall be permitted beyond the limits of the building envelope but no closer than 3.0 metres to the northern, eastern or western limit of the lands illustrated on Figure 1;

3) Despite paragraph (1) above uncovered steps, covered porches and platforms not exceeding 2.0 metres in height shall be permitted to project a maximum of 1.5 metres beyond the limits of the building envelope shown on Figure 1;

ii. PARKING REQUIREMENTS:

A. Minimum Parking Spaces (per dwelling unit): 2 spaces

B. Minimum private garage per lot: 1

C. Any vehicular entrance for a private garage shall be located a minimum of 5.8 metres from any lot line that abuts the street or private road that provides vehicle access to the private garage;

D. Where a townhouse dwelling unit provides two parking spaces within a private garage located on the same lot the requirements of paragraph C above are not required.

E. Visitor Parking Spaces:

1) For all lands zoned “MD-H5” a minimum of 40 visitor parking spaces shall be provided;

F. Despite clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

G. Clauses 5.21.2a), 5.21.2b), 5.21.2c), 5.21.2d) 5.21.2e), 5.21.2f), and 5.21.2i) of By-law 3036, as amended, shall not apply to lands zoned "MD-H5”;

iii. SPECIAL REGULATIONS:

A. Clauses 5.18(a) and 5.22 of By-law 3036, as amended, shall not apply to lands zoned "MD-H5";

B. Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street;

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

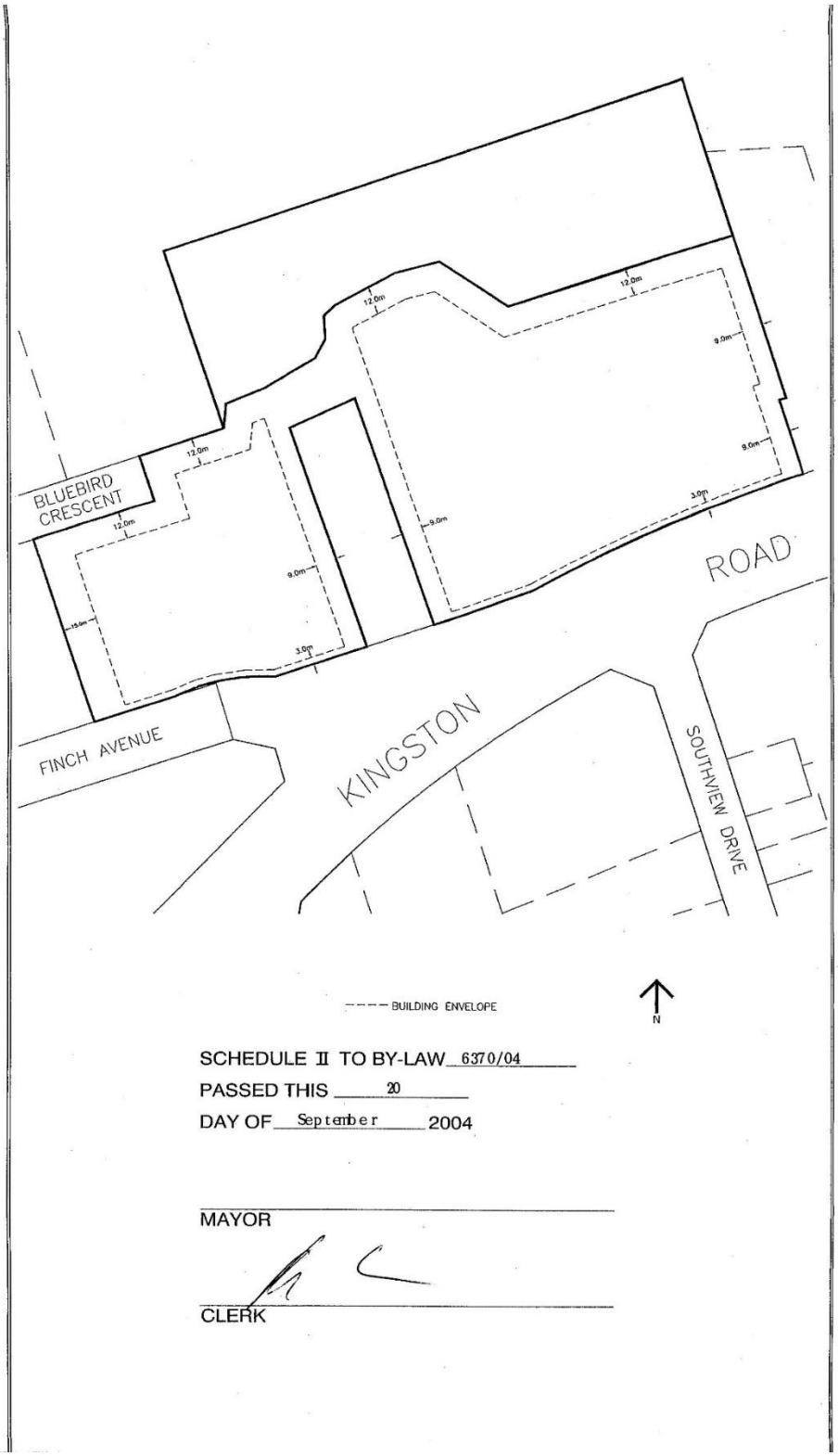
i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

d) Zone Requirements ("OS-HL" Zone)

i. No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or trail and walkway purposes.

3. Figure 1


BLUEBIRD CRESCENT
ROAD
FINCH AVENUE
KINGSTON
SOUTHVIEW DRIVE
BUILDING ENVELOPE
N
SCHEDULE II TO BY-LAW 6370/04
PASSED THIS 20
DAY OF September 2004
MAYOR
CLERK

15.142 Exception Zone 142 (By-law 6528-05)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted("S1-14" Zone)

No person shall within the lands zoned "S1-14", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1-14" Zone)

No person shall within the lands zoned "S1-14", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent for all buildings and structures on a lot;

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building;

B. any vehicular entrance of which shall be located a minimum of 6 metres from the front lot line, and 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street; and,

C. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

xi. SPECIAL REGULATION

A. Notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres in depth into the required rear yard of a lot provided no part thereof exceeds 6.0 metres in width.

B. Notwithstanding clause 5.7(b) of By-law 3036, as amended, unenclosed covered or uncovered porches with or without cold cellars may encroach a maximum of 1.5 metres into a required front or flankage side yard.

c) Uses Permitted(“S3-7” Zone)

No person shall within the lands zoned “S3-7” use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements (“S3-7” Zone)

No person shall within the lands zoned “S3-7”, use any lot or erect, alter, or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres on one side and 0.6 metres on the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent for all buildings and structures on a lot;

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building;

B. any vehicular entrance of which shall be located a minimum of 6 metres from the front lot line, and 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street; and,

C. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

xi. SPECIAL REGULATION:

A. Notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres in depth into the required rear yard of a lot provided no part thereof exceeds 6.0 metres in width;

B. The horizontal distance between buildings on adjacent lots, shall be not less than 1.8 metres;

C. Notwithstanding clause 5.7(b) of By-law 3036, as amended, unenclosed covered or uncovered porches with or without cold cellars may encroach a maximum of 1.5 metres into a required front or flankage side yard.

e) Uses Permitted(“OS-HL” Zone)

No person shall within the lands zoned “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the preservation and conservation of the natural environment and resource management.

f) Zone Requirements (“OS-HL” Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control and resource management.

15.143 Exception Zone 143 (By-law 6537-05, as amended by By-law 7060-10)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted("S1-14" Zone)

No person shall within the lands zoned "S1-14", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1-14" Zone)

No person shall within the lands zoned "S1-14", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS:

A. maximum one dwelling unit per lot with a minimum gross floor area of 100 square metres.

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located a minimum of 6.0 metres from the front lot line, and 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street; and,

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

xi. EXCEPTION:

Despite the zone requirements within Clause 2(b) of this By-law, a minimum front yard depth of 4.0 metre, a minimum rear yard depth of 6.0 metre, and a maximum lot coverage of 40 percent may be permitted on the most south-lying lot in the North Part of Lot 18, Plan 329 located within the “S1-14” zone, as shown by the cross-hatched area on Figure 1.

3. Provisions (“OS-HL” Zone)

a) Uses Permitted (“OS-HL” Zone)

No person shall within the lands zoned “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Preservation and conservation of the natural environment, soil and wildlife;

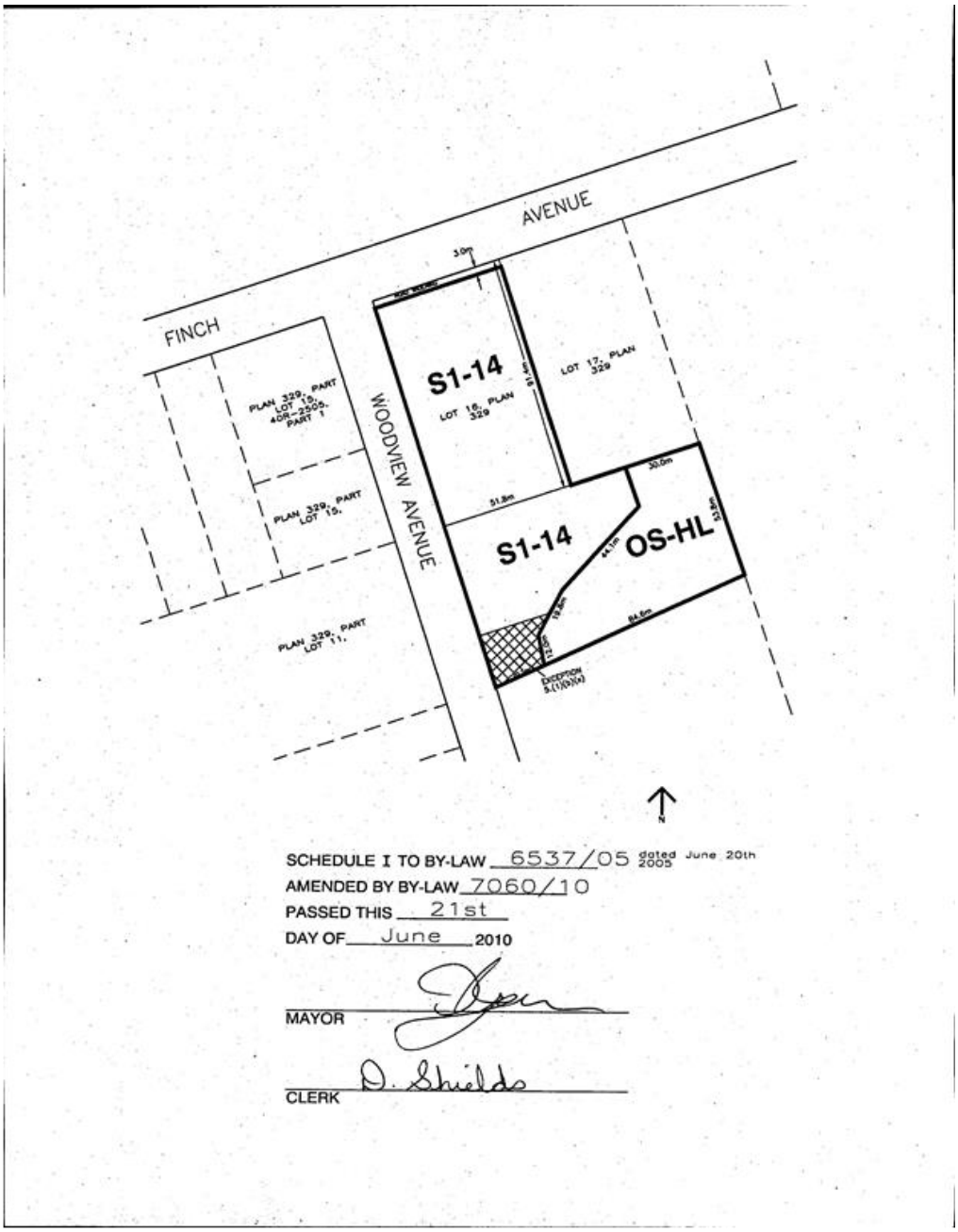
ii. Resource management;

iii. Pedestrian trails and walkways;

b) Zone Requirements (“OS-HL” Zone)

i. No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

4. Figure 1



15.144 Exception Zone 144 (By-law 6551-05)

1. Definitions

a) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) “Dwelling, Single Attached or Single Attached Dwelling” shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

d) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

e) “Gross Floor Area-Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

f) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

g) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

h) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

i) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

j) “Storey” shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

k) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“SA-10”)

No person shall, within the lands zoned "SA-10" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. single-attached dwelling

b) Zone Requirements (“SA-10“)

No person shall, within the lands zoned “SA-10” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 160 square metres

ii. LOT FRONTAGE (minimum): 5.4 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres; and

A. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, shall be set back from the lot line separating such lots as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 of a metre measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. REAR YARD DEPTH (minimum): 6.5 metres

vi. BUILDING HEIGHT (maximum): 9.0 metres

vii. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area – residential of 100 square metres;

viii. PARKING REQUIREMENT:

A. minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

B. no part of any attached garage shall extend more than 2.4 metres beyond the wall containing the main front entrance to the dwelling unit;

C. the required parking garage shall have a minimum length of 11.0 metres;

ix. SPECIAL REGULATIONS

A. no more than 4 dwelling units shall be permitted to be attached together;

c) Uses Permitted Zone Requirements (“H” Zone)

Until such time as the “H” Holding provision is lifted, the lands shall not be used for any purpose other than one single detached dwelling and accessory uses, subject to the provisions of Section 9 of By-law 3036.

d) Removal of the “H” Holding Symbol

The “H” Holding Symbol shall not be removed from the “SA-10” zone until such time as a subdivision agreement/development agreement has been executed with the City.

15.145 Exception Zone 145 (By-law 6585-05, as amended by By-law 6638-06)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically by an above grade wall or walls;

   f) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached vertically, by an above grade wall or walls, or an above grade floor or floors, or both;

   g) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres;

   h) "Dwelling, Single Attached" shall mean one group of not less than three single adjacent units, attached together horizontally by an above grade common wall;

   i) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   j) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   k) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

m) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

n) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

o) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

p) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

q) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

u) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

v) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

w) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

x) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S5" Zone)

No person shall within the lands zoned "S5", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling;

b) Zone Requirements ("S5" Zone)

No person shall within the lands zoned "S5", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 250 square metres;

ii. Lot Frontage (minimum): 9.0 metres;

iii. Front Yard Depth (minimum): 4.5 metres;

iv. Rear Yard Depth (minimum): 7.5 metres;

v. Side Yard Width (minimum): 1.2 metres on one side and 0.6 metres on the other side;

vi. Flankage Side Yard Width (minimum): 2.7 metres;

vii. Building Height (maximum): 12.0 metres;

viii. Lot coverage (maximum): 38 percent;

ix. Gross floor area per dwelling unit (minimum): 100 square metres;

x. Garage Requirements:

minimum one private garage per lot attached to the main building and vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of the street;

xi. Garage Projection (maximum):

2.5 metres beyond the wall containing the main entrance to the dwelling unit;

xii. Uncovered steps and platform projection into rear yard (maximum):

1.5 metres for any uncovered steps and platform not exceeding 2.0 metres in height;

xiii. Minimum building separation:

the horizontal distance between buildings on adjacent lots shall be a minimum of 1.2 metres;

c) Uses Permitted ("SD-7" Zone)

No person shall within the lands zoned "SD-7”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. semi-detached dwelling;

d) Zone Requirements ("SD-7" Zone)

No person shall within the lands zoned "SD-7”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 205 square metres;

ii. Lot Frontage (minimum): 7.0 metres;

iii. Front Yard Depth (minimum): 4.5 metres;

iv. Rear Yard Depth (minimum): 7.5 metres;

v. Side Yard Width (minimum): 1.2 metres on one side; and,

A. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, or a direct extension thereof, shall be set back from the lot line separating such lots as follows;

B. 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

C. 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

vi. Flankage Side Yard Width (minimum): 2.7 metres;

vii. Building Height (maximum): 12.0 metres;

viii. Lot coverage (maximum): 50 percent;

ix. Gross floor area per dwelling unit (minimum): 100 square metres;

x. Garage Requirements

minimum one private garage per lot attached to the main building and vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of the street;

xi. Garage Projection (maximum):

2.5 metres beyond the wall containing the main entrance to the dwelling unit;

xii. Uncovered steps and platform projection into rear yard (maximum):

1.5 metres for any uncovered steps and platform not exceeding 2.0 metres in height.

e) Uses Permitted ("SA-8" Zone)

No person shall within the lands zoned "SA-8", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. single attached dwelling;

f) Zone Requirements ("SA-8" Zone)

No person shall within the lands zoned "SA-8", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. Lot Area (minimum): 180 square metres;

ii. Lot Frontage (minimum): 6.0 metres;

iii. Front Yard Depth (minimum): 4.5 metres;

iv. Rear Yard Depth (minimum): 7.5 metres except where the rear yard abuts open space the minimum rear yard depth is 6.0 metres;

v. Side Yard Width (minimum):

A. 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be setback from the side lot line separating such lots as follows:

B. 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

C. 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

vi. Flankage Side Yard Width (minimum): 2.7 metres;

vii. Building Height (maximum): 12.0 metres;

viii. Lot coverage (maximum): 50 percent;

ix. Gross floor area per dwelling unit (minimum): 100 square metres;

x. Garage Requirements:

minimum one private garage per lot attached to the main building and vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of the street;

xi. Garage Projection (maximum):

2.5 metres beyond the wall containing the main entrance to the dwelling unit;

xii. Uncovered steps and platform projection into rear yard (maximum):

1.5 metres for any uncovered steps and platform not exceeding 2.0 metres in height.

g) Uses Permitted ("OS-HL" Zone)

No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

h) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.146 Exception Zone 146 (By-law 6578-05)

1. Provisions

   a) The only Institutional uses permitted on lands zoned “Agriculture – A” are as follows:

      i. A church and religious institution, as defined herein, shall be permitted on the lands designated “A” located in Concession 2 Pt. Lot 18, Now RP 40R9710, Part 3, identified as Property Identification No. 26439-0192 and known as 2065 Brock Road;

      ii. A cemetery, as defined herein, shall be permitted on the lands designated “A” located in Concession 2, South Part Lot 26, identified as Property Identification Numbers 26372-0051 and 26372-0049 and known as 902 Finch Avenue;

      iii. A cemetery, as defined herein, shall be permitted on the lands designated “A” located in Concession 2, N. Pt., Lot 18, except RP 40R20062, Parts 2, 3 and 4 (CO179234), identified as Property Identification No. 26439-0506 and known as 2275 Brock Road;

      iv. A cemetery, as defined herein, shall be permitted on the lands designated “A” located in Concession 1, North Part of Lot 19, identified as Property Identification No. 26334-0017 and known as 1900 Brock Road;

      v. A cemetery, as defined herein, shall be permitted on the lands designated “A” located in Concession 2, Part Lot 27, Now RP 40R3892, Part 1, identified as Property Identification No. 26371-0375 and known as 886-898 Finch Avenue;

      vi. A church and religious institution, as defined herein, shall be permitted on the lands designated “A” located in Concession 2, Part Lot 22, identified as Property Identification No. 26377-0209 and known as 1302 Finch Avenue;

      vii. Churches, church halls, public and private schools, public or institutional buildings, public and private hospitals and cemeteries, as defined herein, shall be permitted on the lands designated “A” located on Part of Lot 18, Concession 2, identified as Property Identification Numbers 26439-0184 and 26439-0185, known as 2177 and 2185 Brock Road.

   b) Institutional uses permitted by Clause 7.1.4.1 shall be governed by the provisions of Section 5.15 of By-law 3036.

15.147 Exception Zone 147 (By-law 6887-08)

1. Definitions

a) “Adult Entertainment Parlour” shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

b) “Business Office” shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

e) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

f) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

g) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

h) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

j) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in Section 224 (9)(b) of the *Municipal Act*, R.S.O. 1990, chapter M.45, as amended from time-to-time, or any successor thereto or an Adult Entertainment Parlour as defined herein;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) “Veterinary Clinic” shall mean a building or part of a building in which medical and surgical services are performed or consultation is given for domestic pets, may include accessory sales of associated products, accessory services such as grooming, emergency overnight accommodation, but shall not include long-term boarding on the premises.

2. PROVISIONS

a) Uses Permitted (“R3-MU-1” Zone)

No person shall, within the lands zoned “R3-MU-1” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. dwelling unit

ii. business office

iii. professional office

iv. veterinary clinic

b) Zone Requirements (“R3-MU-1 ” Zone)

No person shall within the lands zoned “R3-MU-1” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. REQUIREMENTS

A. Any permitted use shall be subject to the requirements of Section 9.2 of Zoning By-law 3036, as amended;

B. Despite A. above, Section 9.2.4, 9.2.5 and 9.2.6 of By-law 3036 inclusive shall not apply to the lands zoned “R3-MU-1”;

C. Building Height: maximum 6.0 metres;

ii. PARKING REQUIREMENTS

A. There shall be provided and maintained on the lands zoned “R3-MU-1”, a minimum of 12 parking spaces;

B. Despite clause A. above, if the lands zoned “R3-MU-1” are used for only a dwelling unit, a minimum of 2 parking spaces shall be provided;

C. Clauses 5.21.2 (a), and 5.21.2 (b), of By-law 3036, as amended, shall not apply to the lands zoned “R3-MU-1”;

D. Despite Clauses 5.21.2 (g) and 5.21.2 (k) of By-law 3036, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

E. Despite Clause 2.2.1 of By-law 3036, as amended, the minimum perpendicular width of an aisle to a parking stall shall be 6.0 metres for two way traffic;

iii. SPECIAL REGULATIONS

A. The maximum combined gross leasable floor area for all uses on the lands zoned “R3-MU-1” shall be 300 square metres;

B. Section 5.32 of By-law 3036, as amended, shall not apply to the lands zoned “R3-MU-1”;

C. Section 5.22 of By-law 3036, as amended, shall not apply to the lands zoned “R3-MU-1”;

15.148 Exception Zone 148 (By-law 6912-08)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1-15" Zone)

No person shall within the lands zoned "S1-15", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1-15" Zone)

No person shall within the lands zoned "S1-15", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15 metres

iii. FRONT YARD DEPTH (minimum): 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot;

B. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage.

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building;

B. any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street; and,

C. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

xi. SPECIAL REGULATION:

Notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres in depth into the required rear yard of a lot provided no part thereof exceeds 6.0 metres in width.

15.149 Exception Zone 149 (By-law 6929-09)

1. Definitions

a) “Business Office” shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

b) “Breeder” shall mean a person who keeps animals for the purpose of breeding the offspring for sale;

c) “Commercial Kennel” shall mean a building or a part of a building which is used for the purposes of the boarding, breeding, daycare, grooming, training and a veterinary hospital for domesticated animals; dog exercise facilities; a pet shop and the retail sale of animal merchandise as an accessory use, but shall not include a business office or a retail store;

d) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

e) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

f) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

g) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

h) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

i) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

j) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

k) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the

case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

m) “Pet Shop” shall mean every shop, place, or premise in which animals are sold or kept for sale as pets but does not include a breeder;

n) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

o) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

p) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

q) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

r) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

u) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

v) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

w) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

x) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

y) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions

a) Uses Permitted (“A-CK1” Zone)

No person shall, within the lands zoned “A-CK1” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. All uses permitted in Section 7, Rural Agricultural Zone “A” of By-law 3036

ii. Commercial Kennel

iii. Detached Dwelling Unit

b) Zone Requirements ("A-CK1" Zone)

No person shall within the lands zoned "A-CK1”, use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.8 hectares

ii. LOT FRONTAGE (minimum): 60.0 metres

iii. FRONT YARD DEPTH (minimum): 12.0 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 3.0 metres

B. All buildings shall have a minimum setback of 10.0 metres from an OS-HL Zone

v. REAR YARD DEPTH (minimum): 10.0 metres from an OS-HL Zone

vi. LOT COVERAGE (maximum): 20 percent

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. DWELLING UNIT REQUIREMENTS: maximum one

ix. PARKING REQUIREMENTS:

A. minimum of 2 parking spaces shall be provided and maintained on each lot for every 100 square metres of gross leasable floor area or part thereof for a commercial kennel establishment;

B. Clauses 5.21.2a) to 5.21.2e) inclusive, of By-law 3036, as amended, shall not apply to the lands zoned “A-CK1”;

C. Despite Clause 5.21.2b) of By-law 3036, side yard parking shall only be permitted no closer than 1.5 metres from any side lot line;

D. minimum 2 parking spaces per dwelling unit;

E. any vehicular entrance for a detached dwelling and/or a caretaker’s residence shall be located not less than 6.0 metres from the front lot line;

x. SPECIAL REGULATIONS

A. Despite Sections 2(a)(i) and 2(a)(ii), agricultural uses are not permitted in conjunction with a commercial kennel;

B. Despite Section 2(a)(ii), an accessory veterinary clinic associated with a commercial kennel shall not include a clinic for the care of livestock animals;

C. The aggregate gross floor area of a commercial kennel and caretaker’s residence shall not exceed 700 square metres;

D. A caretaker’s residence not exceeding a maximum gross floor area of 186 square metres shall be permitted within the building containing a commercial kennel;

E. Despite Section 5.32 of Zoning By-law 3036, an accessory dwelling unit is not permitted in conjunction with a commercial kennel and/or a caretaker’s residence.

3. Provisions

a) Uses Permitted (“OS-HL” Zone)

No person shall, within the lands zoned “OS-HL” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Preservation and Conservation of the natural environment, soil and wildlife

ii. Resource Management

iii. Pedestrian Trails and Walkways

b) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.150 Exception Zone 150 (By-law 6987-09)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) “Dwelling, Semi-Detached or Semi-Detached Dwelling” shall mean one of a pair of dwellings, such dwellings being attached above grade by a common wall connected by an attached garage, an attached dwelling or both which extends from the base of the foundation to the roof line of a garage and for a horizontal distance of not less than the length of an attached garage attached to the main building;

   f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   h) "Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S-SD-4" Zone)

No person shall within the lands zoned "S-SD-4", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi-detached dwelling residential use

b) Zone Requirements ("S-SD-4 " Zone)

No person shall within the lands zoned "S-SD-4", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. for detached dwellings: 250 square metres

B. for semi-detached dwellings: 225 square metres

ii. LOT FRONTAGE (minimum):

A. for detached dwellings: 9.0 metres

B. for detached dwellings located within the area hatched: 8.5 metres

C. for semi-detached dwellings: 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

A. despite Section 5.7(b) of By-law 3036 as amended, uncovered and covered platforms/porches attached to a main dwelling may provide a front yard depth of 3.0 metres.

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. for detached dwellings:

1) for lots not within the areas hatched;

– 1.2 metres one side, 0.6 metre on the other;

2) for lots within the areas hatched;

– 0.6 metres on both sides.

B. for semi-detached dwellings: minimum 1.2 metres except that,

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall upon which that dwelling is located; or

3) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line, the following shall apply:

I. minimum 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

A. despite Section 5.7(b) of By-law 3036 as amended, uncovered and covered platforms/porches attached to a main dwelling may provide a flankage side yard width of 2.0 metres.

vi. REAR YARD DEPTH (minimum): 7.5 metres

A. despite Section 5.7(b) of By-law 3036 as amended, uncovered and covered platforms/porches attached to a main dwelling may provide a rear yard depth of 6.0 metres.

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.

ix. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building; any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

x. SPECIAL REGULATIONS:

A. semi-detached dwellings are permitted only within the hatched area on Figure 1;

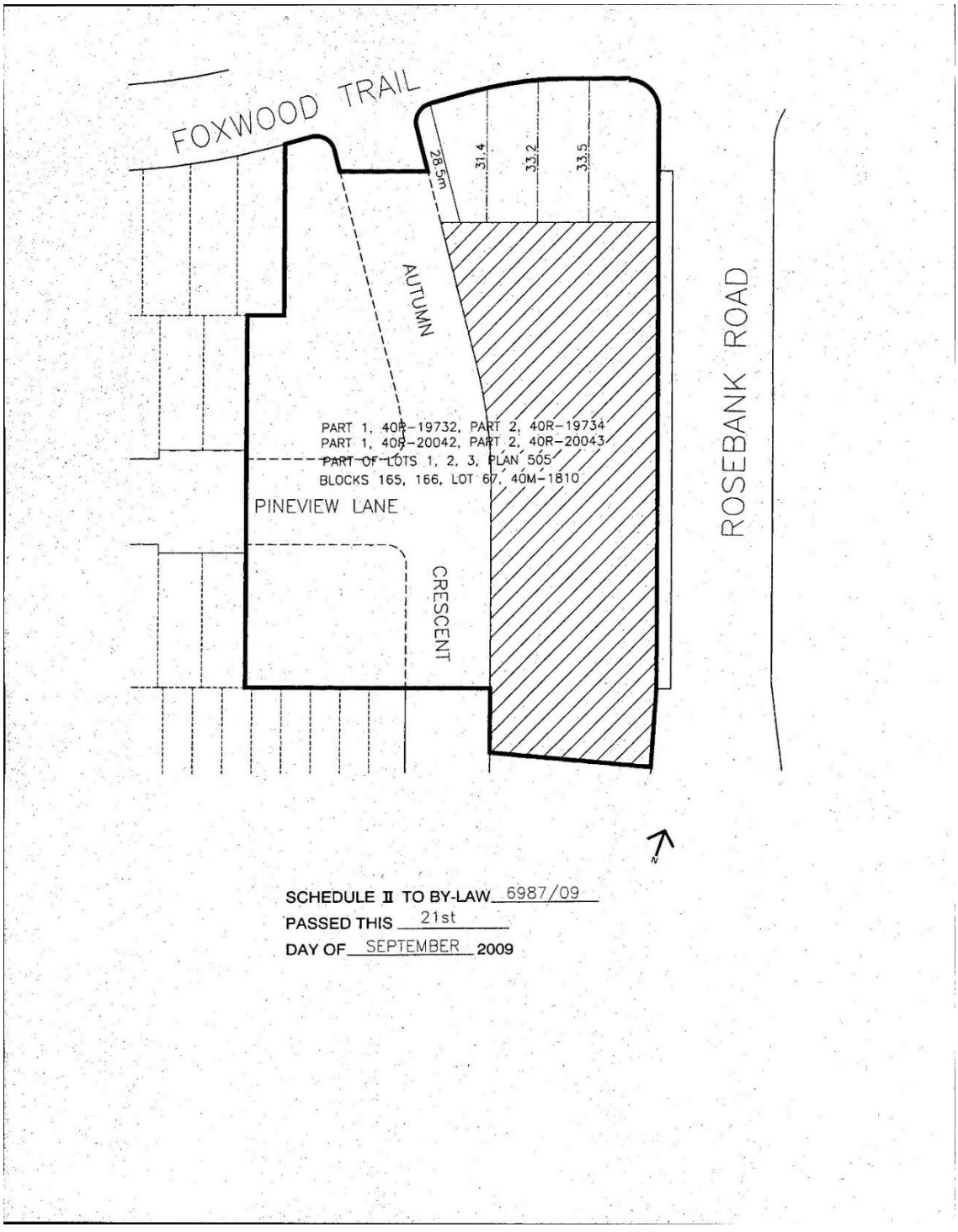
B. for lot frontages less than 10.0 metres, the maximum width for a garage attached to a main dwelling shall be no more than half the width of a dwelling;

C. despite Section 5.7(a) of By-law 3036 as amended, bay windows, sills, cornices or other similar features below or above grade may project a maximum of 0.6 metre into a front, rear or flankage side yard;

D. despite Section 5.7(b) of By-law 3036, as amended, uncovered rear decks less than or equal to 0.6 metre in height for detached dwellings with a lot of frontage less than 9.0 metres or semi-

detached dwellings located within the hatched area may have a minimum side yard width of 0.3 metres;

3. Figure 1



15.151 Exception Zone 151 (By-law 6992-09)

1. Definitions

a) "Bed and Breakfast Establishment" shall mean an establishment that provides sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the traveling or vacationing public in, up to two guest rooms which is operated from a detached dwelling on the lot, or a building or structure accessory to the detached dwelling which is managed, directed or conducted by one or more of the occupants of the detached dwelling on the lot.

b) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include, a data processing establishment, the premises of a real estate or insurance agent, but shall not include a retail store, or a contractor’s yard;

c) Contractors Yard shall mean the yard of any general contractor, builder or landscaper where equipment and material are stored or where a general contractor, builder or landscaper performs shop or assembly work or assembles material for offsite work;

d) Domestic Business - Type C shall mean an antique store, an arts and crafts shop, a book store, a business office, a clothing boutique, professional office-non medical, or a tea room, and shall not include a contractor’s yard, and which is:

i. operated from a detached dwelling on the lot, or a building or' structure accessory to the detached dwelling on the lot;

ii. managed, directed or conducted by one or more of the occupants of the detached dwelling on' the lot;

e) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer,

f) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

g) "Dwelling Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

h) "Dwelling Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

i) "Dwelling Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres;

j) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

k) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a, building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar,

l) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case maybe, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

m) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

n) "Professional Office-Non-Medical" shall mean a building or part of abuilding in which legal or other professional service is performed or consultation given, and which may include the offices of an architect, a chartered accountant, an engineer, or a lawyer, but shall. not include the office of a physician or a body rub parlour as defined by the *Municipal Act*, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;

o) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

p) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

q) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

r) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the

junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot,

t) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the function point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

u) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

v) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

w) "Flankage Side Yard" shall mean a side yard immediately adjoining, a street or abutting on a reserve on the opposite side of which is a street;

x) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

y) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S2-DB" Zone)

a) Uses Permitted ("S2-DB"Zone)

No person shall, within the lands zoned "S2-DB", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. semi detached dwelling residential use

iii. Domestic Business - Type C

iv. Bed and Breakfast Establishment

b) Zone Requirements ("S2 DB" Zone)

No person shall within the lands zoned "S2-DB" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. for detached dwellings: 350 square metres

B. for semi-detached dwellings: 175 square metres

ii. LOT FRONTAGE (minimum):

A. for detached dwellings: 12.0 metres

B. for semi detached dwellings: 6.0 metres

iii. FRONT YARD DEPTH:

(minimum) 3.0 metres

(maximum) 6.0metres

iv. REAR YARD DEPTH (minimum): 7.5 metres

v. SIDE YARD WIDTH (minimum)

A. for detached dwellings 1.2 metres on one side and 0.6 metres on the other side

B. for semi detached dwellings minimum 0.6 metres except that,

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall upon which that dwelling is located;

or

3) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line, the following shall apply:

– minimum 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot.

vi. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vii. BUILDING HEIGHT (maximum): 9.0 metres.

viii. LOT COVERAGE (maximum): 40 percent for all buildings and structures

ix. PARKING REQUIREMENTS:

A. one additional parking space if a Domestic Business - Type C is operation from the lot, which space shall be located within the rear yard or side yard;

B. one parking space for each guest room associated with a Bed and Breakfast Establishment;

x. SPECIAL REGULATIONS:

A. despite the provisions of this by-law, any lot in the S2-DB zone, which existed on the date of passing of this by-law, and has insufficient lot area, parking, lot frontage, front, rear or side yards, or exceeds the permitted lot coverage or building height, shall be deemed to comply with this by-law. Nothing in this bylaw shall prevent the erection of an addition to any such dwelling, provided the addition conforms to the provisions of this by-law.

B. Domestic Business Type C; shall only be located on the ground floor of the dwelling or any accessory building or structure on the lot; shall not exceed 90 square metres gross leasable floor area and shall be limited to only one Domestic Business - Type C use at any given time on a property and if a Domestic Business - Type C use is operating, a home base business is prohibited on the property.

C. contractors' yard is a prohibited use on any lot within the "S2-DB"zone;

xi. Uncovered steps and platform projection into rear yard (maximum): 1.5 metres for any uncovered steps and platform not exceeding 2.0 metres in height;

xii. OPEN STORAGE:

All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display.

3. PROVISIONS ("C2-DB" Zone)

a) Uses Permitted ("C2-DB"Zone)

No person shall, within the lands zoned "C2-DB" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. antique store;

ii. arts and crafts shop;

iii. book store;

iv. business office;

v. clothing boutique;

vi. professional office-non medical;

vii. tea room;

viii. Bed and Breakfast Establishment;

b) Zone Requirements ("C2-DB"Zone)

No person shall within the lands zoned "C2-DB" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 3.0 metres

iv. REAR YARD DEPTH (minimum): 7.5 metres.

v. SIDE YARD WIDTH (minimum): 1.2 metres, on one side, and 0.6 metres on the other side

vi. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vii. BUILDING HEIGHT (maximum): 9.0 metres

viii. SPECIAL REGULATIONS:

A. despite the provisions of this by-law, any lot in the "C2-DB" zone, which existed on the date of passing of this by-law, and has insufficient lot area, parking, lot frontage, front, rear or side-yards, or exceeds the permitted lot coverage or building height, shall be deemed to comply with this by-law. Nothing in this bylaw shall prevent the erection of an addition to any such dwelling, provided the addition conforms to the provisions of this by-law;

B. a contractor’s yard is a prohibited use on any lot within the "C2-DB" zone;

ix. PARKING REQUIREMENTS:

A. one parking space for each guest room associated with a Bed and Breakfast Establishment;

B. there shall be provided on the lot a minimum of 4 parking spaces at all times, associated with all other uses within the "C2-DB" zone;

x. OPEN STORAGE:

All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display.

xi. EXCEPTION

Despite the uses permitted within Section 3(a), a maximum of four dwelling units may be permitted within a building or structure located within the "C2-DB" zone

4. PROVISIONS ("S3-8"Zone)

   Lands known as 1062 Dunbarton Road shall be zoned "S3-8" and shall be subject to all of the provisions of that zone, as set out in By-law 3036, as amended by By-law 5342/98.

5. PROVISIONS (`R3-DN" Zone)

   The lands zoned "R3-DN" may be used for the purposes of one day nursery, in addition to the uses permitted within Section 9.1 of By-law 3036.

6. PROVISIONS ("OS-HL" Zone.)

   a) Uses Permitted ("OS-HL" Zone)

      No person shall within the lands zoned "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. preservation and conservation of the natural environment, soil and wildlife;

      ii. resource management;

      iii. pedestrian trails and walkways;

   b) Zone Requirements ("OS-HL" Zone)

      No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.152 Exception Zone 152 (By-law 5044-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S4-6” Zone)

No person shall within the lands zoned "S4-6” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("S4-6” Zone)

No person shall within the lands zoned "S4-6” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 300.0 square metres

ii. LOT FRONTAGE (minimum): 10.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres one side, 0.6 metres on other side.

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 38 percent

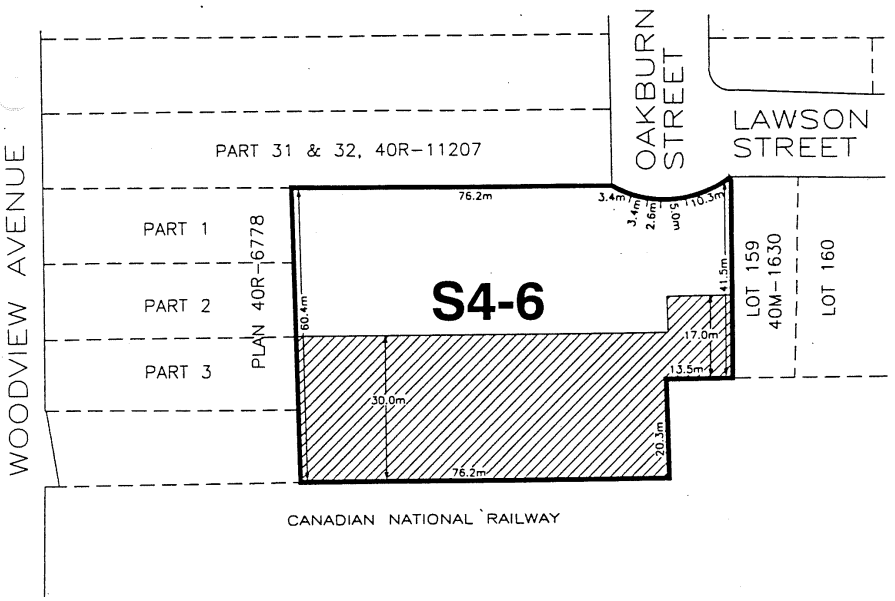
vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

ix. PARKING AND PRIVATE GARAGE REQUIREMENTS: minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

x. SPECIAL REGULATION: no detached dwelling or part thereof maybe located within the area hatched on Figure 1.

3. Figure 1



SCHEDULE I TO BY-LAW 5044/97
PASSED THIS 23rd
DAY OF JUNE **1997**

MAYOR

CLERK

15.153 Exception Zone 153 (By-law 5107-97, as amended by By-law 5636-00 and By-law 5871-01)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   e) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   f) "Multiple Dwelling - Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

   g) "Multiple Dwelling - Quadruplex" shall mean a multiple dwelling containing only four dwelling units, each unit being connected to two or more other units, and generally arranged with two units adjacent to the front lot line and the other two units at the rear thereof;

   h) "Dwelling Unit Width" shall mean the shortest horizontal dimension of a dwelling unit between the exterior of the main side walls of the unit, except that where a side wall is a common wall, in which case the dimension shall be from the centre of that wall;

   i) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   j) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   k) "Landscaped Open Space" shall mean space on a lot which is open and unoccupied and is suitable for growing grass, flowers, bushes, shrubs or other landscaping plants and includes a waterway, walk, patio or similar

space but does not include any portion of a parking aisle, parking space, ramp or driveway;

l) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

n) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

o) "Parking Space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles;

p) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

q) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

r) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

s) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Front Yard Width" shall mean the shortest horizontal dimension of a front yard of a lot between the side lot lines, or between the side lot line and the flankage of the lot;

u) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot

line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

w) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

x) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

y) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

z) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

aa) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("RMM-2 Zone)

a) Uses Permitted ("RMM-2" Zone)

No person shall within the lands zoned "RMM-2" use any lot or erect, alter or use any building or structure for any purpose except the following residential uses:

i. semi-detached dwelling

ii. multiple dwelling - horizontal

iii. multiple dwelling - quadruplex

b) Zone Requirements ("RMM-2" Zone)

No person shall within the lands zoned "RMM-2" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum per dwelling unit):

A. semi-detached dwelling: 225 square metres

B. multiple dwelling - horizontal: 160 square metres

C. multiple dwelling - quadruplex: 180 square metres

ii. LOT FRONTAGE (minimum per dwelling unit):

A. semi-detached dwelling: 7.5 metres

B. multiple dwelling - horizontal: 5.4 metres

C. multiple dwelling - quadruplex: 24 metres for 4 units

iii. FRONT YARD DEPTH (minimum per dwelling unit):

A. semi-detached dwelling: 4.5 metres

B. multiple dwelling - horizontal: 4.5 metres

C. multiple dwelling - quadruplex: 6 metres

iv. INTERIOR SIDE YARD WIDTH (minimum per dwelling unit):

A. semi-detached dwelling and multiple dwelling - horizontal:

1.2 metres except that

1) where dwelling units on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwelling units on abutting lots share a common wall and one of those dwelling units has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling unit is located;

3) where dwelling units on abutting lots share a common wall and one of those dwelling units has an extension of that common wall that does not extend along the common interior side lot line;

I. a minimum 1.2-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling unit is located if an abutting interior side yard is not provided on the other lot, or

II. a minimum 0.6-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling unit is located if an abutting interior side yard is provided on the other lot;

B. multiple dwelling - quadruplex: 1.2 metres except

1) where dwelling units on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where the side wall of the front unit directly abuts a parking space or aisle of the rear unit, no interior side yard shall be required for the front unit;

3) where dwelling units on abutting lots share a common wall and one of those dwelling units has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling unit is located;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum per dwelling unit):

A. semi-detached dwelling: 7.5 metres

B. multiple dwelling - horizontal: 7.5 metres

C. multiple dwelling - quadruplex (front units): 0 metres

D. multiple dwelling - quadruplex (rear units): 10 metres

vii. LOT COVERAGE (maximum per dwelling unit):

A. semi-detached dwelling: 45 per cent

B. multiple dwelling - horizontal: 45 per cent

C. multiple dwelling - quadruplex: 50 per cent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. semi-detached dwelling:

1) minimum gross floor area-residential of 100 square metres per dwelling unit;

2) minimum unit width 6 metres;

3) maximum one dwelling unit per lot;

B. multiple dwelling - horizontal:

1) minimum gross floor area-residential of 100 square metres per dwelling unit;

2) minimum unit width 5.4 metres;

3) maximum one dwelling unit per lot;

C. multiple dwelling - quadruplex:

1) minimum gross floor area-residential of 100 square metres per dwelling unit;

2) maximum one dwelling unit per lot;

x. PARKING REQUIREMENTS:

A. there shall be provided and maintained on the lot a minimum of one private garage per dwelling unit attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit, or

2) where a covered and unenclosed porch or verandah extends a minimum of 2.4 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.6 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. semi-detached dwelling:

1) the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres;

2) despite the definition of "Dwelling, Semi-Detached or Semi-Detached Dwelling" in Section 1(d) above, semi-detached dwellings erected in a "RMM-2" zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 per cent of the horizontal depth of the building.

B. multiple dwelling - quadruplex:

1) all portions of the front yard not used for parking purposes as required by this By-law shall be maintained as landscaped open space;

2) there shall be a minimum front yard width of 2 metres;

C. landscaped open space requirement (minimum):

1) for multiple dwelling - horizontal units, the area devoted to landscaped open space shall be not less than 10 per cent of the lot area.

3. PROVISIONS ("RM1-5" Zone)

a) Uses Permitted ("RM1-5" Zone)

No person shall within the lands zoned "RM1-5" use any lot or erect, alter or use any building or structure for any purpose except the following residential uses:

i. detached residential use

ii. multiple dwelling – horizontal

b) Zone Requirements ("RM1-5" Zone)

No person shall within the lands zoned "RM1-5" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum per dwelling unit):

A. detached dwelling 200 square metres

B. multiple dwelling – horizontal 95 square metres

ii. LOT FRONTAGE (minimum per dwelling unit):

A. detached dwelling 20 metres

B. multiple dwelling – horizontal 4.8 metres

iii. FRONT YARD DEPTH (minimum per dwelling unit):

A. detached dwelling 2.6 metres

B. multiple dwelling – horizontal 4.5 metres

C. despite subsection B above, on the lands shaded on Figure 1, a multiple dwelling – horizontal may provide a minimum front yard depth of 2.6 metres;

iv. INTERIOR SIDE YARD WIDTH (minimum per dwelling unit):

A. detached dwelling 2.7 metres

B. multiple dwelling – horizontal 1.2 metres except that

1) where dwelling units on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwelling units on abutting lots share a common wall and one of those dwelling units has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling unit is located;

3) where dwelling units on abutting lots share a common wall and one of those dwelling units has an extension of that common wall that does not extend along the common interior side lot line;

I. a minimum 1.2-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling unit is located if an abutting interior side yard is not provided on the other lot, or

II. a minimum 0.6-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling unit is located if an abutting interior side yard is provided on the other lot;

v. FLANKAGE SIDE YARD WIDTH (minimum):

A. detached dwelling 2.7 metres

B. multiple dwelling – horizontal:

1) 2.7 metres; or

2) 2.0 metres from a temporary road

vi. REAR YARD DEPTH (minimum per dwelling unit):

A. detached dwelling 1.2 metres

B. multiple dwelling – horizontal 6.0 metres

C. despite subsection B above, on the lands shaded on Figure 1, a multiple dwelling – horizontal may provide a minimum rear yard depth of 5.0 metres

vii. LOT COVERAGE (maximum per dwelling unit): 50 percent for detached dwellings

viii. BUILDING HEIGHT (maximum):

A. detached dwelling 9.0 metres

B. multiple dwelling – horizontal 12 metres

ix. DWELLING UNIT/BUILDING REQUIREMENTS:

A. detached dwellings:

1) minimum gross floor area-residential of 100 square metres per dwelling unit;

2) maximum one dwelling unit per lot; and

B. multiple dwelling – horizontal:

1) minimum gross floor area-residential of 95 square metres per dwelling unit;

2) minimum unit width 4.8 metres;

3) maximum one dwelling unit per lot;

4) maximum 8 units per Multiple Dwelling - Horizontal; and

5) the horizontal distance between buildings shall not be less than 2.4 metres

x. PARKING REQUIREMENTS:

A. there shall be provided and maintained on the lot a minimum of one private garage per dwelling unit attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

B. for detached dwellings, no part of any attached private garage shall extend beyond the wall containing the main entrance to the dwelling unit;

C. for multiple dwellings – horizontal, no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit, or

2) where a covered and unenclosed porch or verandah extends a minimum of 2.4 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.6 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATION:

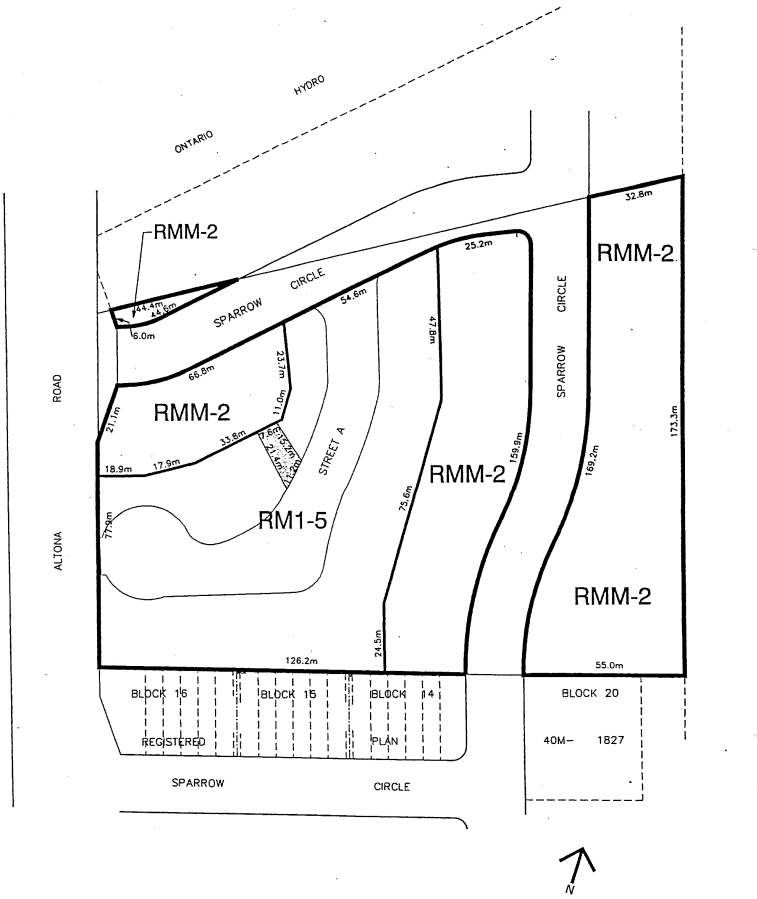
A. no more than 3 detached dwellings may be located on the lands zoned “RM1-5”.

4. Model Homes

a) Despite the provisions of Section 6.1 of By-law 3036, a maximum of 15 Model Homes, together with not fewer than two parking spaces per Model Home, may be constructed on the lands prior to division of those lands by registration of a plan of subdivision or condominium.

b) For the purposes of this By-law, “Model Home” shall mean a dwelling unit used exclusively for sales display and for marketing purposes pursuant to an agreement with the Town of Pickering, and not used for residential purposes.

5. Figure 1



SCHEDULE II TO BY-LAW 5107/97 AS AMENDED BY BY-LAW 5636/00

SCHEDULE I TO BY-LAW 5871/01
PASSED THIS 7
DAY OF August 2001

MAYOR

DEPUTY CLERK

15.154 Exception Zone 154 (By-law 5139-97)

1. Definitions

a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) “Dwelling Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) “Dwelling, Semi-Detached or Semi-Detached Dwelling” shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

d) “Dwelling, Single or Single Dwelling” shall mean a dwelling containing one dwelling unit and uses accessory thereto;

e) “Dwelling, Single Attached or Single Attached Dwelling” shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

f) “Floor Area-Residential” "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

l) “Storey” shall mean that portion of a building other than a basement, cellar or attic, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“SD-A” Zone)

No person shall within the lands zoned “SD-A” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

b) Zone Requirements (“SD-A” Zone)

No person shall with the lands zoned “SD-A” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot; or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS:

minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line

immediately adjoining or abutting a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres;

B. despite the definition of “Dwelling, Semi-Detached or Semi-Detached Dwelling” in Section 1(c), Semi-Detached Dwellings erected in an “SD-A” Zone shall be attached above grade by a common wall which shall not be less than 3.0 metres in length and not less than 2.4 metres in height;

C. on land zoned “SD-A” no part of any attached private garage shall extend more than 2.4 metres beyond any part of the front wall of the dwelling to which it is attached.

c) Uses Permitted (“SA-7” Zone)

No person shall within the lands zoned “SA-7” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single-attached dwelling

d) Zone Requirements (“SA-7” Zone)

No person shall with the lands zoned “SA-7” use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 160 square metres

ii. LOT FRONTAGE (minimum): 5.4 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres, except

A. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

B. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

C. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line;

1) a minimum 1.2 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that

dwelling is located if an abutting interior side yard is not provided on the other lot, or

2) a minimum 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS:

minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. Single Attached Dwellings in an “SA-7” zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 percent of the horizontal depth of the building;

B. no more than 4 dwelling units shall be permitted within the area zoned “SA-7”;

C. for dwellings sited on a corner lot on land zoned “SA-7”, no part of any attached private garage shall extend more than 2.4 metres beyond any part of the front wall of the dwelling to which it is attached;

D. for dwellings sited on interior lots on lands zoned “SA-7”, no part of any attached private garage shall extend more than 2.4 metres beyond the outer limit of the roof overhang of the front porch of the dwelling to which it is attached;

15.155 Exception Zone 155 (By-law 5148-97)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   e) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Neighbourhood Park" shall mean a municipal public park;

   l) "Parking Space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles;

m) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

o) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

p) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Front Yard Width" shall mean the shortest horizontal dimension of a front yard of a lot between the side lot lines, or between the side lot line and the flankage of the lot;

r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

u) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

v) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

w) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

x) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("S3/SD/NP" Zone)

a) Uses Permitted ("S3/SD/NP" Zone)

No person shall within the lands zoned "S3/SD/NP" use any lot or erect, alter or use any building or structure for any purpose except the following residential-oriented uses:

i. detached dwelling

ii. semi-detached dwelling

iii. neighbourhood park

b) Zone Requirements ("S3/SD/NP" Zone)

No person shall within the lands zoned "S3/SD/NP" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. detached dwelling 350 square metres

B. semi-detached dwelling: 225 square metres

C. neighbourhood park 906 square metres

ii. LOT FRONTAGE (minimum):

A. detached dwelling: 12 metres

B. semi-detached dwelling: 7.5 metres

C. neighbourhood park: 20 metres

iii. FRONT YARD DEPTH (minimum):

A. detached dwelling: 4.5 metres

B. semi-detached dwelling: 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. detached dwelling:

1.2 metres on one side and 0.6 metres on the other side

B. semi-detached dwelling:

1.2 metres except that

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side

yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

3) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line;

I. a minimum 1.2-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is not provided on the other lot, or

II. a minimum 0.6-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

v. FLANKAGE SIDE YARD WIDTH (minimum):

A. dwellings having a flankage side yard abutting Finch Avenue, or a reserve on the opposite side of which is Finch Avenue: 4.5 metres

B. except for Lot 1 which shall have a minimum flankage side yard width of: 2.7 metres

C. dwellings having a flankage side yard abutting another street: 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. detached dwelling : 7.5 metres

B. semi-detached dwelling: 7.5 metres

vii. LOT COVERAGE (maximum):

A. detached dwelling: 38 per cent

B. semi-detached dwelling: 40 per cent

viii. BUILDING HEIGHT (maximum):

A. detached dwelling: 12 metres

B. semi-detached dwelling: 12 metres

ix. DWELLING UNIT REQUIREMENTS:

A. detached dwelling:

1) minimum gross floor area-residential of 100 square metres;

2) maximum one dwelling unit per lot;

B. semi-detached dwelling:

1) minimum gross floor area-residential of 100 square metres;

2) maximum one dwelling unit per lot;

x. PARKING REQUIREMENTS:

A. detached dwelling: there shall be provided and maintained on the lot a minimum of one private garage per dwelling unit attached to the main building, any vehicular access entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

B. semi-detached dwelling: there shall be provided and maintained on the lot a minimum of one private garage per dwelling unit attached to the main building, any vehicular access entrance of which shall be located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

C. no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. semi-detached dwelling:

1) the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres;

2) despite the definition of "Dwelling, Semi-Detached or Semi Detached Dwelling" in Section 1(d), semi-detached dwellings erected in a "S3/SD/NP" zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 per cent of the horizontal depth of the building.

B. neighbourhood park:

1) within lands provided through approval of a plan of subdivision for the use of a neighbourhood park, no person shall use any lot or erect, alter or use any building or structure for any purpose except for a neighbourhood park and uses accessory thereto;

2) within lands provided through approval of a plan of subdivision for the use of a neighbourhood park, no buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or

removal of fill be permitted, except where buildings or structures are to be used for the purposes of a neighbourhood park.

15.156 Exception Zone 156 (By-law 981-79)

1. Notwithstanding the provisions of Section 16.1 or Section 16.2 of By-law 3036, the lands designated "O2-1" and located in Part of Lot 17, Concession 2, Town of Pickering, and in Part of the Road Allowance between Lot 17, Concession 2, Town of Pickering, and Lot 16, Concession 2, Town of Ajax, may be used for the purpose of a seasonal camping establishment.

15.157 Exception Zone 157 (By-law 5212-98)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("R4-12" Zone)

No person shall within the lands zoned "R4-12" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-12" Zone)

No person shall within the lands zoned "R4-12” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum): 15.0 metres

iii. FRONT YARD DEPTH (minimum): 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 9.0 metres

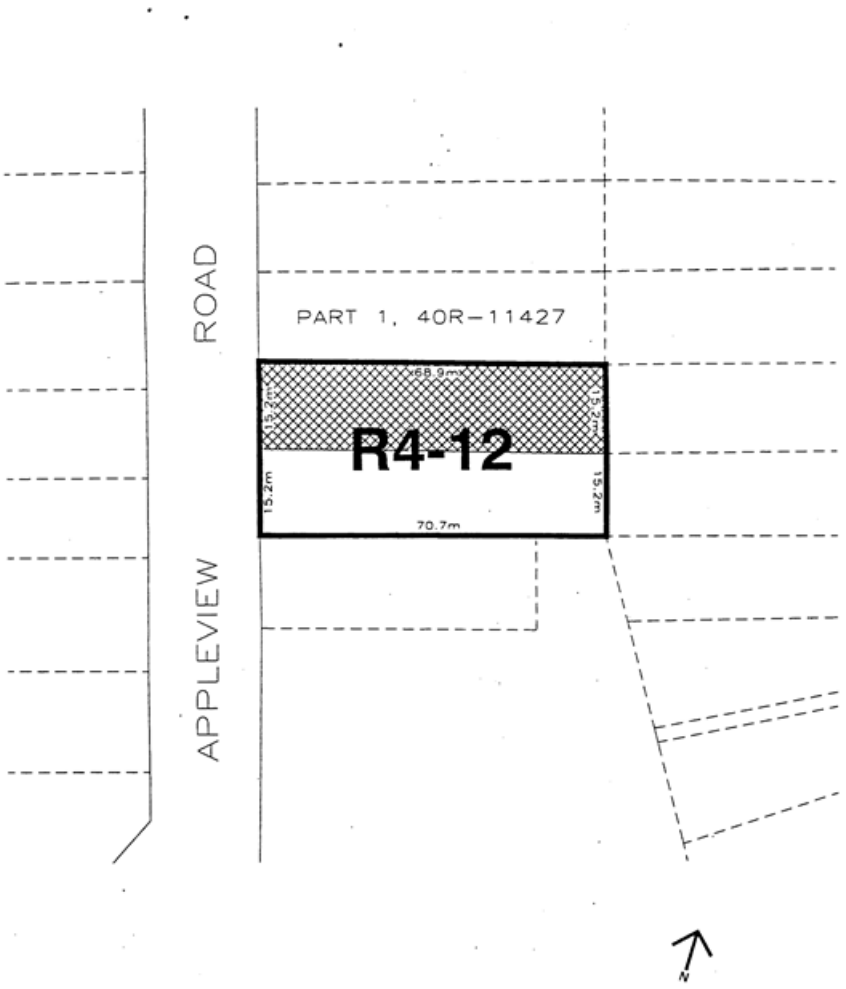
ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. SPECIAL RESTRICTION:

on the lands crosshatched on Figure 1, no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit.

3. Figure 1



SCHEDULE I TO BY-LAW 5212/98
PASSED THIS 6th
DAY OF April **1998**

MAYOR

CLERK

15.158 Exception Zone 158 (By-law 736-77)

1. Definitions

   a) "Building Height" shall mean the vertical distance measured from the average elevation of the finished grade at the front wall of the building to the base of the eave of the said building.

   b) "Coverage" shall mean the percentage of lot area coverage by all buildings on the lot.

   c) “Dwelling" shall mean one or more rooms, occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   d) "Semi-Detached Dwelling" shall mean one of a pair of attached dwellings that are attached horizontally in whole or in part above grade and are separated from other buildings by yards.

   e) “Single Attached Dwelling” shall mean one of a group of not more than six (6) attached dwellings that are attached horizontally in whole or in part and are separated from other buildings by yards.

   f) “Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 6 metres distance from the street line.

   g) “Floor Area” shall mean the total area contained within the outside walls of a building excluding, in the case of a dwelling, any private garage, porch, veranda, sunroom, balcony, basement recreation room or unfinished attic or basement.

   h) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more, vehicles, in which no business or service is conducted for profit or otherwise.

   i) “Yards”

      i. "Front Yard” shall mean the space between the main front wall of a building and a street extending, the full of the lot.

      ii. "Side Yard” shall mean the space between a main side wall of a building and a side lot line, extending from the front yard to the rear yard.

      iii. “Rear Yard” shall mean the space between a main rear wall of a building and the rear lot line, and extending the full width of the lot.

iv. “Flankage Yard” shall mean the space between a main wall of the building and a side lot line bounding on a public street and extending from front lot line to rear lot line.

2. Provisions:

   a) The standards and provisions as set out on Figure 1 attached hereto shall apply to the area restricted by this By-law.

3. Figure 1

Zone	Symbol	Maximum Dwelling Units Per Registered Lot	Minimum Frontage	Maximum Lot Area per Dwelling	Minimum Yards			Minimum Floor Area per Dwelling	Minimum Parking Requirements
					Front	Side and Flankage	Rear		
Semi-Detached Dwelling	SD	2 Dwelling Units	9 metres per dwelling except 10.5 metres per corner dwelling	275 square metres	4.5 metres	1.2 metres side 2.7 metres flankage	7.5 metres	115 square metres	Each dwelling shall have at least one private garage setback not less than 6 metres from the street
Single Attached Dwelling	SA	6 Dwelling Units	6 metres per dwelling except 7.5 metres per end dwelling 9 metres per corner dwelling	200 square metres				105 square metres	
Greenbelt	In accordance with the provisions of Section 17 of By-law 3036								

4. Additional Provisions:

   a) Maximum building height = 10.5 metres

   b) Maximum building coverage = 33 percent

15.159 Exception Zone 159 (By-law 765-78)

1. Definitions

    a) “Building Height” shall mean the vertical distance measured from the average elevation of the finished grade at the front wall of the building to the base of the eaves of the said building.

    b) “Dwelling” shall mean one or more habitable rooms, occupied or capable of being occupied as a single independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

    c) “Semi-Detached Dwelling” shall mean one of a pair of attached dwellings that are attached horizontally in whole or in part above and/or below grade and are separated from other buildings by yards.

    d) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 6.0 metres distant from the front lot line.

    e) “Floor Area” shall mean the total area of all storeys contained within the outside walls of a building excluding, in the case of a dwelling, any private garage, porch, veranda, sunroom, balcony, basement recreation room or unfinished attic or basement.

    f) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business or service is conducted for profit or otherwise.

    g) “Yards”

        i. “Front Yard” shall mean the space between the main front wall of a building and a street, extending the full width of the lot.

        ii. “Side Yard” shall mean the space between a main side wall of a building and a side lot line, extending from the front yard to the rear yard.

        iii. “Rear Yard” shall mean the space between a main rear wall of a building and the rear lot line, and extending the full width of the lot.

        iv. “Flankage Yard” shall mean the space between a main wall of the building and a side lot line bounding on a public street and extending from front lot line to rear lot line.

2. Provisions

    a) The standards and provisions as set out on Figure 1 attached hereto shall apply to the area restricted by this by-law.

3. Figure 1

Zone	Symbol	Uses Permitted	Minimum Lot Frontage per Dwelling	Minimum Lot Area per Dwelling	Minimum Setbacks per Pair of Attached Semi-Detached Dwellings			Minimum Floor Area per Dwelling	Minimum Parking Requirements
					Front	Side and Flankage	Rear		
Residential Semi-Detached	SD	Residential – One Family semi-detached dwelling	9.5 metres per dwelling except 11 metres per corner dwelling	325 square metres	4.5 metres	1.2 metres side 2.7 metres flankage	7.5 metres	110 square metres	Each dwelling shall have at least one private garage setback not less than 6.0 metres from the street

4. Additional Provisions:

   a) Maximum building height = 10.5 metres

   b) Maximum coverage = 33 percent

   c) Where semi-detached dwellings are attached in part below grade and separated above grade, such separation shall be a minimum of 1.2 metres.

15.160 Exception Zone 160 (By-law 770-78)

1. Definitions

    a) "Building Height" shall mean the vertical dimension of a building measured from the average elevation of the finished grade at the front wall of the building to the base of the eaves of the said building.

    b) "Dwelling" shall mean one or more habitable rooms, occupied or capable of being occupied as a single independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

    c) “Semi-Detached Dwelling” shall mean one of a pair of attached dwelling that are attached horizontally in whole or in part above and/or below grade and are separated from other building by yards.

    d) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 6.0 metres distant from the front lot line.

    e) “Floor Area” shall mean the total area of all storeys contained within the outside walls of a building excluding, in the case of a dwelling, any private garage, porch, veranda, sunroom, balcony, basement recreation room or unfinished attic or basement.

    f) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business or service is conducted for profit or otherwise.

    g) “Yards”

        i. "Front Yard" shall mean the space between the main front wall of a building and the front lot line extending the full width of the lot.

        ii. "Side Yard" shall mean the space between a main side wall of a building and a side lot line, extending from the front yard to the rear yard.

        iii. "Rear Yard" shall mean the space between the main rear wall of a building and the rear lot line, and extending the full width of the lot.

        iv. "Flankage Yard" shall mean the space between a main wall of the building and a side lot line bounding on a public street and extending from front yard to rear yard.

2. Provisions

    a) The standards and provisions as set out on Figure 1 attached hereto shall apply to the area restricted by this By-law.

3. Figure 1

Zone	Symbol	Uses Permitted	Minimum Lot Frontage per Dwelling	Minimum Lot Area per Dwelling	Minimum Setbacks per Pair of Attached Semi-Detached Dwellings			Minimum Floor Area per Dwelling	Minimum Parking Requirements
					Front	Side and Flankage	Rear		
Residential Semi-Detached	"SD"	Residential – One Family semi-detached dwelling	9.5 metres per dwelling except 11 metres per corner dwelling	325 square metres	4.5 metres	1.2 metres side 2.7 metres flankage	7.5 metres	110 square metres	Each dwelling shall have at least 1 private garage setback not less than 6.0 metres from the street

4. Additional Provisions:

a) Maximum building height = 10.5 metres

b) Maximum coverage = 33 percent

c) Where semi-detached dwellings are attached in part below grade and separated above grade, such separation shall be a minimum of 1.2 metres.

15.161 Exception Zone 161 (By-law 978-79)

1. Definitions

   a) "Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   b) "Dwelling" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a building containing not more than one dwelling and uses accessory thereto.

   d) "Single Attached Dwelling – Attached Above Grade" shall mean one of a group of not less than three and not more than six single dwellings which are attached horizontally and divided vertically by an above grade common wall between adjacent single dwellings which wall shall be not less than 3 metres in length and not less than 1 storey in height.

   e) "Single Attached Dwelling – Attached Above or Below Grade" shall mean one of a group of not less than three and not more than six single dwellings which are attached horizontally in whole or in part above grade or below grade, or both.

   f) "Floor Area" shall mean the total area of the floors of all storeys contained within the outside walls of a building excluding, in the case of a building containing a dwelling or dwellings, the floors of any private garage, porch, verandah, sunroom, balcony, basement recreation room or unfinished attic or basement.

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a single dwelling, together with any accessory buildings or structures, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   h) "Lot Frontage" shall mean the horizontal distance between the side lot lines of a lot, such distance being measured along a line which is parallel to a 7.5 metres distance from the front lot line.

   i) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is condt1cted for profit or otherwise.

   j) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures or other uses as are specifically permitted thereon.

k) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

p) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and nearest wall of the nearest main building or structure on the lot.

q) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

r) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted

No person shall within the lands designated “SA-A”, use any lot or erect, alter or use any building or structure for any purpose except:

i. single attached dwelling attached above grade residential uses.

b) Zoning Requirements

No person shall within the lands designated "SA-A", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.7 metres except that:

A. In the case of a corner lot, the minimum shall be 10.7 metres;

B. in the case of an interior lot containing a single dwelling attached on only one side above grade, the minimum shall be 8.5 metres.

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTHS (minimal):

A. interior side yard: 1.5 metres, except that no interior side yard shall be provided where single attached dwellings on adjacent lots are attached together by a common wall extending along the side lot line separating such lots, so long as every wall on such side and not part of a common wall, or not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

1) 1.8 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

2) 0.9 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

B. flankage side yard: 3 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. FLOOR AREA (minimum): 100 square metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLINGS PER LOT (maximum): 1 only

x. PRIVATE GARAGES (minimum):

1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line

c) Uses Permitted

No person shall within the lands designated “SA-AB”, use any lot or erect, alter or use any building or structure for any purpose except:

i. single attached dwelling attached above or below grade residential uses.

d) Zone Requirements

No person shall within the lands designated "SA-AB", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.7 metres except that:

A. in the case of a corner lot, the minimum shall be 10.7 metres,

B. in the case of an interior lot containing a single dwelling attached on only one side, the minimum shall be 8.5 metres.

iii. FRONT YARD DEPTH (minimum) 4.5 metres

iv. SIDE YARD WIDTHS (minimal):

A. interior side yard: 1.5 metres, except that no interior side yard shall be required where single attached dwellings on adjacent lots are attached together by a common wall extending along the side lot line separating such lots, so long as every wa1l on such side and not part of a common wall, or not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

1) 1.8 metres measured perpendicularly to such lot line if no abutting side yard is provided on the abutting lot, or

2) 0.9 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

B. flankage side yard: 3 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. FLOOR AREA (minimum): 100 square metres

vii. LOT COVERAGE (maximum) 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLINGS PER LOT (maximum) 1 only

x. PRIVATE GARAGES (minimum):

1 per dwelling attached to the main building and located not less than 6 metres from the front lot line.

15.162 Exception Zone 162 (By-law 1055-79, as amended by By-law 6134-03 and By-law 7059-10)

1. Definitions

a) “Body Rub Parlour” shall mean any premises or part thereof where a body rub is performed, offered or solicited in pursuance of a trade, calling, business or occupation, but does not include any premises or part thereof where the body rubs performed are for the purpose of medical or therapeutic treatment and are performed or offered by persons otherwise duly qualified, licensed or registered so to do under the laws of the Province of Ontario;

b) "Business Office" shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

c) "Commercial Club" shall mean an athletic or recreational club operated for gain or profit and having public or private membership;

d) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

e) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities such as bowling alleys, miniature golf courses, roller-skating rinks, squash courts, swimming pools and other similar indoor recreation facilities are provided and operated for gain or profit, and which may include an arena or stadium but shall not include a place of amusement or entertainment as defined here;

f) “Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

g) “Discount Department Store” shall mean a discount department store, as defined by Statistics Canada, such as but not limited to, Zellers and Wal-Mart, engaged in general merchandising of a wide range of commodities and services which may include, but is not limited to, apparel, hardware and household goods, garden supplies, automotive supplies, leisure, pet and drug items and toys;

h) “Drug Store” shall mean a building or part of a building in which pharmaceutical prescriptions are compounded and dispensed to the public,

and where medicine, medical supplies and associated merchandise, confectionary items, cosmetics, toiletries, periodicals, or similar items of day-to-day household necessity are stored, displayed and offered for retail sale;

i) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

j) “Floor Area” shall mean the aggregate of the floor areas of all above and below grade storeys, but shall exclude the floor area of any stairwells, elevators, and any part below established grade used exclusively for storage purposes;

k) “General Merchandise Store” shall mean a general merchandise store as defined by Statistics Canada, such as but not limited to, Bi-Way, Bargain Harolds, and Stedmans, engaged in general merchandising of a wide range of commodities and services, which may include but is not limited to apparel, hardware and household goods, garden supplies, automotive supplies, leisure, pet and drug items and toys;

l) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding those areas used exclusively for storage purposes which are below established grade or within mezzanines;

m) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

n) “Major Department Store” shall mean a major department store as defined by Statistics Canada, such as but not limited to, Sears and The Bay, engaged in general merchandising of a wide range of commodities and services, which may include, but is not limited to, apparel, hardware and household goods, garden supplies, automotive supplies, leisure, pet and drug items and toys;

o) “Personal Service Shop” shall mean an establishment in which personal service is performed and which may include a barber shop, beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body rub parlour as defined in the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;

p) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation

given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time-to-time, or any successor thereto;

q) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles, or things are stored, kept and offered for retail sale to the public, but shall not include a food store, a discount department store, a major department store, or a general merchandise store;

r) “Specialty Food Store” shall mean a retail store specializing in a specific type or class of foods such as an appetizer store, bakery, butcher, delicatessen, fish, gourmet and similar foods;

s) “Vehicle Sales or Rental Establishment” shall mean an establishment having as its main use the sale, service, rent or lease of vehicles, and which may include an accessory vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

t) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such buildings, structures or other uses as are specifically permitted thereon.

u) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

v) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

w) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

x) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest main building or structure on the lot.

y) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest wall of the nearest main building or structure on the lot.

z) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

aa) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting a reserve on the opposite side of which is a street.

bb) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted (“CA3-4” Zone)

i. No person shall within the lands designated “CA3-4” undertake any use for any purpose except as follows:

A. business office
B. commercial club
C. commercial school
D. commercial recreational establishment
E. drug store
F. financial institution
G. personal service shop
H. professional office
I. retail store
J. vehicle sales and rental establishment

ii. The permitted uses shall only occur within the building existing as of the day of the passing of this by-law on the property being Part 1 40R-3466 and Parts 2-5 40R-5805 generally as shown on the site plan approved on June 21, 2005.

b) Zone Requirements

i. No person shall within the lands designated “CA3-4”, use any lot or erect, alter or use any building or structure except in accordance with the provisions of this subsection.

ii. For the purpose of this section, the lot lines flanking Kingston Road (Highway 2) or an abutting reserve are deemed to be the front lot line, and the lot line deemed to be the rear lot lone.

A. Front Yard Depth	15 metres
B. Interior Side Yard Width (minimum)	10 metres
C. Flankage Side Yard Width (minimum)	15 metres
D. Rear Yard Depth (minimum)	10 metres

E. Lot Coverage (maximum) 30 percent

F. Building Height (maximum) 11 metres

G. Landscaped Open Area (minimum) 15 percent

c) Uses Permitted Zone Requirements (“(H)” Zone)

i. Until such time as the “(H)” Holding Provision is lifted, the lands shall not be used for any purpose other than vehicle sales and rental establishment.

d) Removal of the “(H)” Holding Symbol

i. The “(H)” Holding Symbol shall not be removed from the “CA3-4” Zone for lands being Part 1 40R-3466, Parts 2-5 40R-5805 until such time as a traffic analysis has been submitted and an updated Site Plan Agreement has been executed and registered for the lands to the satisfaction of the City of Pickering in consultation with the Region of Durham.

ii. The “(H)” Holding Symbol shall not be removed from the “CA3-4” Zone for lands being Part 1 40R-11779 until such time as a Site Plan Agreement for the lands has been executed and registered to the satisfaction of the City of Pickering and the Region of Durham and the flood plain issues associated with the lands have been addressed to the satisfaction of the City in consultation with the Toronto and Region Conservation Authority.

15.163 Exception Zone 163 (By-law 1060-79)

1. Definitions

   a) “Coverage” shall mean the percentage of lot area covered by all buildings on the lot.

   b) “Dwelling” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) “Single Dwelling” shall mean a building containing not more than one dwelling and uses accessory thereto.

   d) “Single Detached Dwelling” shall mean a single dwelling which is freestanding, separate and detached from other main buildings.

   e) “Floor Area” shall mean the total area of all storeys contained ·within the outside walls of a building excluding, in the case of a building containing a dwelling or dwellings, any private garage, porch, verandah, sunroom, balcony, basement recreation room, unfinished attic or unfinished basement.

   f) “Lot” shall mean an area of land fronting on a street, which is used or intended to be used as the site of a single dwelling, together with any accessory buildings or structures, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   g) “Lot Frontage” shall mean the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to and 7.5 metres distance from the front lot line.

   h) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   i) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

   j) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

   k) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

l) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

m) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

n) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

o) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

p) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

q) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1, "S2" and “S3" Zones)

No person shall within the lands designated "S1", "S2", and 'S3", use any lot or erect, alter or use any building or structure for any purpose except as follows:

i. single detached dwelling residential uses

b) Zone Requirements (“S1", "S2" and "S3" Zones)

No person shall within the lands designated "S1", "S2" and "S3", use any lot or erect, alter or use any building or structure except in accordance with the following:

i. LOT AREA (minimum):

A.	on the lands designated S1:	500 square metres
B.	on the lands designated S2:	450 square metres
C.	on the lands designated S3:	400 square metres

ii. LOT FRONTAGE (minimum):

A.	on the lands designated "S1":	15 metres, except that in the case of a corner lot the minimum lot frontage shall be 16.5 metres

B. on the lands designated "S2": 13.5 metres, except that in the case of a corner lot the minimum lot frontage shall be 15 metres

C. on the lands designated "S3": 12 metres, except that in the case of a corner lot the minimum lot frontage shall be 13.5 met res

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres, except that in the case of a corner lot flanking Whites Road the minimum flankage side yard width shall be 7.5 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 35 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line.

c) Uses Permitted ("S4" Zones)

No person shall within the lands designated "S4", use any lot or erect, alter or use any building or structure for any purpose except as follows:

i. single detached dwelling residential uses

d) Zone Requirements (“S4" Zones)

No person shall within the lands designated "S4" erect, alter or use any building or structure except in accordance with the following:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 10 metres, except that in the case of a corner lot the minimum lot frontage shall be 12.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTHS (minima):

A. interior side yard: 1.8 metres, except that no interior side yard shall be required on one side, so long as every wall on such side and not on the side lot line, shall be set back a minimum of 0.9 metres from the side lot line measured perpendicularly therefrom.

B. flankage side yard: 2.7 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. FLOOR AREA (minimum): 100 square metres

vii. LOT COVERAGE (maximum): 35 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLINGS PER LOT (maximum): 1 only

x. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line

xi. SPECIAL SIDE YARD PROVISIONS:

A. each lot to which this section applies that abuts, on its side lot line, a lot to which this section does not apply shall provide a side yard having a minimum side yard width of 1.8 metres, adjacent to the latter lot.

B. no doors or windows from habitable rooms shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it.

C. the horizontal distance between buildings on adjacent lots to which this section applies shall be not less than 1.8 metres.

15.164 Exception Zone 164 (By-law 1101-80)

1. Definitions

   a) ''Coverage'' shall mean the percentage of lot area covered by all buildings on the lot.

   b) ''Dwelling'' shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) ''Single Dwelling'' shall mean a building containing not more than one dwelling and uses accessory thereto.

   d) ''Single Detached Dwelling'' shall mean a single dwelling which is freestanding, separate and detached from other main buildings.

   e) ''Semi-Detached Dwelling - Attached Above Grade'' shall mean one of a pair of single dwellings which are attached horizontally and divided vertically by an above grade common wall which wall shall not be less than 3 metres in length and not less than 1 storey in height.

   f) ''Semi-Detached Dwelling - Attached Above or Below Grade'' shall mean one of a pair of single dwellings which are attached horizontally in whole or in part above grade or below grade, or both.

   g) ''Single Attached Dwelling - Attached Above Grade'' shall mean one of a group of not less than three and not more than six single dwellings which are attached horizontally and divided vertically by an above grade common wall between adjacent single dwellings which wall shall be not less than 3 metres in length and not less than 1 storey in height.

   h) ''Floor Area'' shall mean the total area of all storeys contained within the outside walls of a building excluding, in case of a building containing a dwelling or dwellings, any private garage, porch, verandah, sunroom, balcony, basement recreation room, unfinished attic or unfinished basement.

   i) ''Lot'' shall mean an area of land fronting on a street, which is used or intended to be used as the site of a single dwelling, together with any accessory buildings or structures, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   j) ''Private Garage'' shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) ''Yard'' shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or- structure on the lot.

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1" and "S2" Zones)

No person shall within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure for any purpose except the following use:

i. Single detached residential uses

b) Zone Requirements ("S1" and "S2" Zones)

No person shall within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "S1": 500 square metres

B. on the lands designated "S2": 450 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated "S1": 15 metres, except that in the case of a corner lot the minimum lot frontage shall be 16.5 metres

B. on the lands designated "S2": 13.5 metres, except that in the case of a corner lot the minimum lot frontage shall be 15 metres

iii. FRONT YARD DEPTH· (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 35 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line.

c) Uses Permitted ("SD-A" and "SD-AB" Zones)

No person shall within the lands designated "SD-A" and "SD-AB", use any lot or erect, alter or use any building or structure for any purpose except the following uses:

i. on the lands designated "SD-A": semi-detached dwelling attached above grade residential uses

ii. on the lands designated "SD-AB": semi-detached dwelling attached above or below grade residential uses

d) Zone Requirements ("SD-A" and "SD-AB" Zones)

No person shall within the lands designated "SD-A" and "SD-AB", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 275 square metres

ii. LOT FRONTAGE (minimum): 9 metres except that in the case of a corner lot the minimum lot frontage shall be 10.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres, except that no interior side yard shall be provided in an "SD-A" Zone, or is required in an "SD-AB" Zone, on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 35 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line.

e) Uses Permitted ("TH" Zone)

No person shall within the lands designated "TH" use any lot or erect, alter or use any building or structure for any purpose except the following uses:

i. single detached dwelling residential uses

ii. semi-detached dwelling attached above grade residential uses

iii. single attached dwelling attached above grade residential uses

f) Zone Requirements ("TH" Zone)

g) No person shall within the lands designated "TH", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 6.7 metres except that in the case of a corner lot, the minimum shall be 8.2 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH: (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line

15.165 Exception Zone 165 (By-law 1103-80)

1. Definitions

   a) "Coverage" shall mean the percentage of lot area covered by all buildings on the lot.

   b) "Dwelling" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   c) "Single Dwelling" shall mean a building containing not more than one dwelling and uses accessory thereto.

   d) “Single Detached Dwelling” shall mean a single dwelling which is freestanding, separate and detached from other main buildings.

   e) "Semi-Detached Dwelling" shall mean one of a pair of single dwellings which are attached horizontally in whole or in part above grade, or below grade, or both.

   f) "Floor Area" shall mean the total area of all storeys contained within the outside walls of a building excluding, in the case of a building containing a dwelling or dwellings, any private garage, porch, verandah, sunroom, balcony, basement recreation room, unfinished attic or unfinished basement.

   g) "Lot" shall mean an area of land fronting on a street, which is used or intended to be used as the site of a single dwelling, together with any accessory buildings or structures, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision.

   h) "Lot Frontage" shall mean the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to and 7.5 metres distant from the front lot line.

   i) "Neighbourhood Park" shall mean a municipal public park including recreation uses and buildings, and uses accessory thereto.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions

a) Uses Permitted ("S1" and "S2" Zones)

No person shall within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure for any purpose except the following use:

i. single detached dwelling residential use

b) Zone Requirements (“S1" and “S2" Zones)

No person shall within the lands designated "S1" and "S2" use any lot or erect, alter or use any building or structure except in accordance with the following:

i. LOT AREA (minimum):

A.	on the lands designated "S1":	500 square metres
B.	on the lands designated "S2":	450 square metres

ii. LOT FRONTAGE (minimum):

A. on the lands designated "S1": 15 metres, except that in the case of a corner lot the minimum lot frontage shall be 16.5 metres

B. on the lands designated "S2": 13.5 metres, except that in the case of a corner lot the minimum lot frontage shall be 15 metres

iii. FRONT YARO DEPTH (minimum): 4.5 metres, except that in the case of a lot with a rear lot line abutting in whole or in part an “G” Zone the minimum front yard depth shall be 4 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line.

c) Uses Permitted ("SD" Zones)

No person shall within the lands designated "SD", use any lot or erect, alter or use any building or structure for any purpose except the following use:

i. semi-detached dwelling residential use

d) Zone Requirements ("SD" Zones)

No person shall within the lands designated "SD" erect, alter or use any building or structure except in accordance with the following:

i. LOT AREA (minimum): 275 square metres

ii. LOT FRONTAGE (minimum): 9 metres except that in the case of a corner lot the minimum lot frontage shall be 10.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres, except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together so long as every wall on such side

which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. FLOOR AREA (minimum): 100 square metres

viii. LOT COVERAGE (maximum): 38 percent

ix. BUILDING HEIGHT (maximum): 12 metres

x. DWELLINGS PER LOT (maximum): 1 only

xi. PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line.

e) Use Permitted ("NP" Zone):

No person shall within the lands designated "NP", use any lot or erect, alter or use any building or structure for any purpose except:

i. neighbourhood park

f) Uses Permitted ("G" Zone)

g) No person shall within the lands designated “G”, use any lot or erect, alter or use any building or structure for any purpose except:

i. greenbelt-conservation uses in accordance with section 17 of By law 3036, as amended.

15.166 Exception Zone 166 (By-law 5342-98)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S3-8" Zone)

No person shall within the lands designated "S3-8" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use.

b) Zone Requirements ("S3-8" Zone)

c) No person shall within the lands designated "S3-8" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 13.5 metres

iv. INTERIOR SIDE YARD WIDTH: no minimum one side, so long as the other interior side yard width provides at least 3.0 metres to the nearest wall of the main dwelling;

v. REAR YARD DEPTH (minimum): 27.5 metres

vi. LOT COVERAGE (maximum):

A. for all buildings and structures on a lot: 38%

B. the lot coverage of all accessory buildings shall not exceed five percent

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

ix. PARKING REQUIREMENTS

minimum one private garage per lot, which shall be located within the rear yard, or attached to the main rear wall of the dwelling unit.

x. SPECIAL REGULATIONS:

A. the horizontal distance between dwelling units on adjacent lots shall not be less than 3.0 metres.

B. all accessory buildings which are not part of the main dwelling shall be erected not less than 1.0 metre from any lot line, save and except that a private detached garage may be located not less than 0.6 metres from any side lot line.

d) Uses Permitted ("OS-HL-3" Zone)

No person shall within the lands designated "OS-HL-3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil, and wildlife

ii. resource management;

iii. pedestrian trails and walkways.

e) Zone Requirements ("OS-HL-3" Zone)

No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or removed except for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.167 Exception Zone 167 (By-law 5365-98)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Neighbourhood Park" shall mean a municipal public park.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted (“S2-10” and “S3-9” Zones)

No person shall within the lands designated “S2-10” and "S3-9" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements (“S2-10” and "S3-9” Zone)

No person shall within the lands designated “S2-10” and "S3-9” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

   A. on the lands designated “S2-10” 400 square metres

   B. on the lands designated “S3-9” 350 square metres

ii. LOT FRONTAGE (minimum):

   A. on the lands designated “S2-10” 13.5 metres

   B. on the lands designated “S3-9” 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

   A. 1.2 metres each side, or

   B. 1.8 metres on one side and no minimum on the other side

v. BUILDING SEPARATION (minimum): 1.8 metres

vi. FLANKAGE SIDE YARD WIDTH (minimum):

   A. for lots flanking on Altona Road: 4.5 metres

   B. for all other lots: 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum):

   A. 38 percent for all buildings and structures on a lot.

   B. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage.

   C. despite clause A above, where a single storey covered and unenclosed verandah or porch having no habitable space above it is attached to the front or flankage side of a dwelling unit, such porch shall be excluded from the calculation of lot coverage.

ix. BUILDING HEIGHT (maximum): 9.0 metres

x. DWELLING UNIT REQUIREMENTS:

   maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

xi. PARKING AND PRIVATE GARAGE REQUIREMENTS:

   A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. minimum driveway width of 5.0 metres.

xii. MODEL HOMES:

A. despite the provisions of Section 6.1 of By-law 3036, a maximum of 10 Model Homes, together with not fewer than two parking spaces per Model Home, may be constructed on the lands subject to this exception prior to division of those lands by registration of a plan of subdivision.

B. for the purposes of this By-law, “Model Home” shall mean a dwelling unit used exclusively for sales display and for marketing purposes pursuant to an agreement with the Town of Pickering, and not used for residential purposes.

xiii. SPECIAL REGULATIONS

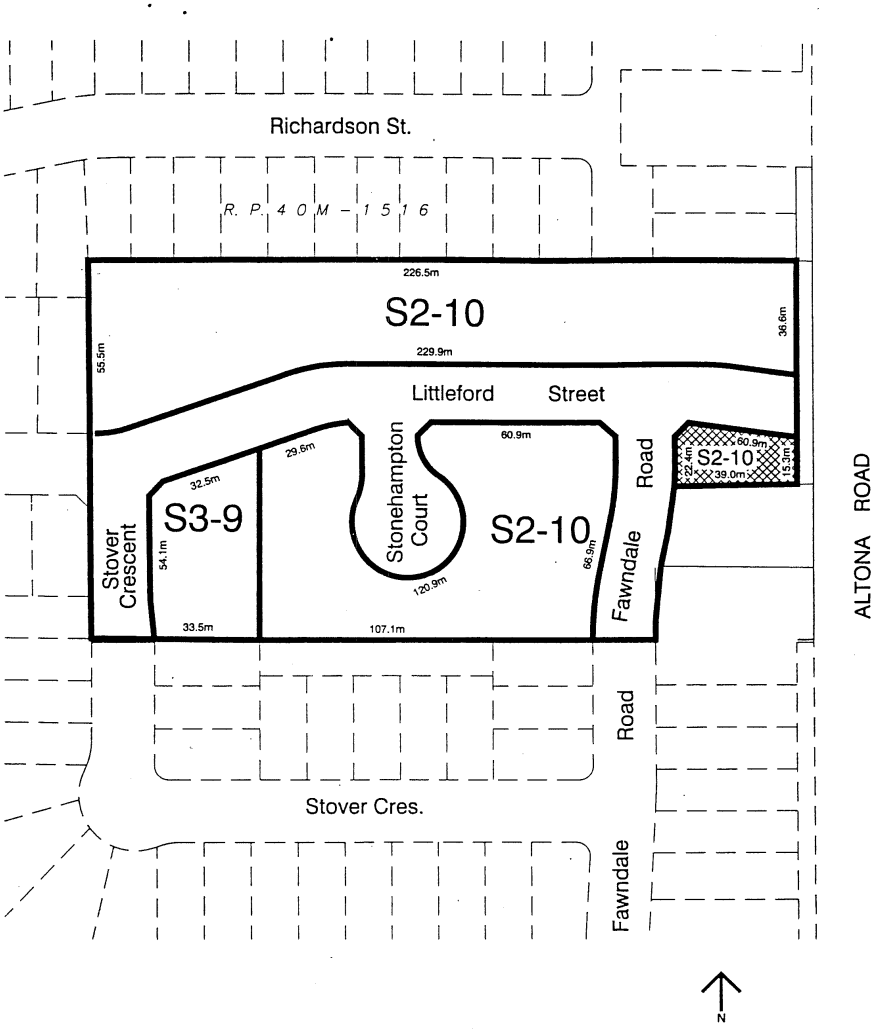
A. despite Sections 2(b)(iii) and 2(b)(vi) of this By-law, pertaining to front yard depth and flankage side yard width, where a single storey covered and unenclosed verandah or porch having no habitable space above it is attached to the front or flankage side of a dwelling unit, such porch may extend a maximum of 1.5 metres into the required minimum front yard depth or flankage side yard width.

B. despite the provisions of Section 2(b)(vi) of this By-law, on the lands cross-hatched on Figure 1 attached hereto, the minimum flankage side yard width shall be 0.3 of a metre.

C. on the lands cross-hatched on Figure 1 attached hereto, Section 2(b)(xi) of this By-law pertaining to parking and private garage requirements, and Sections 5.18(a) and 5.18(b), of By-law 3036, as amended, pertaining to accessory building locations shall not apply.

D. despite clauses B and C above, where a detached dwelling or any part or extension thereof is constructed after September 30, 1998, on the lands cross-hatched on Figure 1 attached hereto, the minimum flankage side yard width shall be 2.7 metres, and Section 2(b)(xi) of this By-law, and Sections 5.18(a) and 5.18(b) of By-law 3036, as amended, shall apply.

3. Figure 1



SCHEDULE I TO BY-LAW 5365/98
PASSED THIS 4th
DAY OF August 1998

MAYOR

ACTING CLERK

15.168 Exception Zone 168 (By-law 5374-98, as amended by By-law 5838-01)

1. Definitions

   a) "Building" shall mean a building in which is conducted the principal uses of the lot on which it is situated. In any residential zone, a building containing one or more dwelling units shall be deemed to be the main building;

   b) "Building Height" shall mean the vertical distance between the established grade and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof, the deck line, or in the case of a gabled, hip or gambrel roof, the mean height level between eaves and ridge. A penthouse tower, cupola, steeple or other roof structure which is used only as an ornament upon which or to house the mechanical equipment of any building, shall be disregarded in calculating the height of such building;

   c) "Build-to-Zone" shall mean an area of land within which all or part of a building or buildings are to be located;

   d) "Business Office" shall mean a building or part of a building in which one or more persons are employed in the management, direction or conducting of a business, a public or private agency, a brokerage or a labour or fraternal organization, and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres;

   e) “Day Nursery” shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of children;

   f) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   g) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   h) "Multiple Dwelling" shall mean a building containing three or more dwelling units attached horizontally, or vertically, or both, by an above grade wall or walls;

   i) "Functional Floor Level" shall mean an enclosed building storey containing an area of at least 50% of the building's ground floor area, and a ceiling height suitable for the intended use;

j) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

k) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

m) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a parallel to and 7.5 metres distant from the front lot line;

n) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

o) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. Chapter M.45, as amended from time to time, or any successor thereto;

p) "Restaurant - Type E" shall mean a building or part of a building where food is prepared or offered or kept for retail sale to the public for immediate consumption in the building or elsewhere on the premises;

q) "Retail Store" shall mean a building where goods, wares, merchandise, substances, articles or things are stored, offered or kept for retail sale to the public;

r) "Structure" shall mean anything installed, constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground and, without limiting the generality of the foregoing, includes a vehicle as defined in the Highway Traffic Act, but does not include an in-ground swimming pool;

s) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

t) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

u) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

v) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

w) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

x) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

y) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

z) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

aa) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

bb) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("MD-H4" Zone)

No person shall within the lands designated "MD-H4", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. multiple dwelling – horizontal

b) Zone Requirements ("MD-H4" Zone)

No person shall within the lands designated "MD-H4", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. Building Location and Setbacks

1) Buildings and structures shall comply with the minimum setbacks illustrated on Figure 1 attached hereto;

2) The horizontal distance between multiple dwelling buildings shall be a minimum of 3.0 metres;

3) Section 5.22 of By-law 3036, as amended, shall not apply to lands designated "MD-H4".

B. Building Height

1) Maximum: 13.5 metres.

ii. PARKING REQUIREMENTS:

A. Notwithstanding clauses 6.5 b) and 6.5 c) of By-law 3036, as amended, for development that provides resident parking in a private garage, there shall be provided and maintained on the lands one private garage attached to the dwelling, one parking space located between the vehicular entrance of the private garage and the nearest traffic aisle, and a minimum of 0.3 visitor parking spaces for each dwelling unit;

B. Clauses 5.21.2a) to 5.21.2f), inclusive and clause 5.21.2i) of By-law 3036, as amended, shall not apply to lands designated "MD-H4";

C. Notwithstanding clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

c) Uses Permitted ("MU-11" Zone)

No person shall within the lands designated "MU-11", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. Restaurant Type E

ii. Professional Office

iii. Business Office

iv. Retail Store

v. Day Nursery

d) Zone Requirements ("MU-11" Zone)

No person shall within the lands designated "MU-11", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS

A. Building Location and Setbacks:

1) A minimum of 60% of the length of the Build-To-Zone illustrated on Figure 1 attached hereto shall have located on it, a building or part of a building or buildings.

2) Notwithstanding clause (1) above, a deck, patio, or any building addition having a gross floor area less than 10 square metres, shall not be considered to be a building or part of a building for the purpose of satisfying the requirements of that clause only;

B. Building Height (minimum): two functional floor levels and 7.0 metres.

C. Building Height (maximum): six functional floor levels and 21 metres.

ii. PARKING REQUIREMENTS:

A. There shall be provided and maintained on the lands designated "MU-11" parking at a ratio of 5.5 spaces per 93 square metres gross leasable area for Retail Store uses, and Business Office and Professional Office uses;

B. There shall be provided and maintained on the lands designated “MU-11” parking at a ratio of 5.5 parking spaces per 93 square metres of activity room area for Day Nursery uses;

C. There shall be provided and maintained on the lands designated "MU-11" parking at a ratio of 8.0 spaces per 93 square metres per gross leasable floor area for Restaurant - Type E uses;

D. Clauses 5.21.2a) to 5.21.2f), inclusive, of By-law 3036, as amended, shall not apply to the lands designated "MU-11";

E. Notwithstanding clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

iii. SPECIAL REGULATIONS:

A. All uses, other than parking and outdoor play areas, shall take place entirely within enclosed buildings or structures with no outside storage or display;

B. Notwithstanding the provisions of subsection 2(c) and subsections 2(d)(i), 2(d)(ii) and 2(d)(iii)(A) above, the building existing on the lands designated "MU-11", on the date of passing of this by-law, as shown on the survey plan prepared by Brown & Coggan Ltd, Ontario Land Surveyors, dated July 13, 1988, shall be deemed to comply with the provisions of By-law 3036, as amended, and the uses therein shall be limited to a Retail Store, Professional Office, Business Office or Restaurant – Type E or Day Nursery.

1) The provisions of Sections 5.21.2(b), 5.21.2(d) and Section 2.2.1) of By-law 3036 shall not apply to the existing building and site.

2) The minimum width for a two-way traffic aisle shall be 5.5 metres.

3) Parking shall be provided and maintained at a ratio of 5.5 parking spaces per 93 square metres of gross leasable floor area for a Professional Office, a Business Office and a Retail Store and at a ratio of 8.0 parking spaces per 93 square metres of gross leasable floor area for a Restaurant - Type E, and a minimum of 15 parking spaces shall be provided and maintained for any Day Nursery Use.

4) Any external alterations or additions to the existing building as shown on the survey plan prepared by Brown & Coggan Ltd, Ontario Land Surveyors, dated July 13, 1988 or new development on the lands shall comply with the provisions of the "MU-11" zone, Subsections 2(c), 2.d(i), 2.d(ii), and 2.d(iii)(A) set out herein.

e) Uses Permitted ("(H)" Holding Symbol)

Despite the provisions of Section 2(c) and Subsections 2(d)(i), (ii) and (iii) of this By-law, while the "(H)" – Holding Symbol is in place preceding the "MU-11" Zone designation, no person shall use any lands for any purpose other than those uses permitted and those requirements outlined in Section 2(d)(iii)(B) of this By-law.

f) Removal of the "(H)" Holding Symbol

Prior to an amendment to remove the "(H)" Holding Symbol preceding the "MU-11" Zone designation, on all or part of the area so zoned, the owner shall satisfy the Region of Durham and the City of Pickering respecting road improvements within Altona Road required to provide appropriate access to any new development on the subject lands, including the provision of a northbound left turning lane within Altona Road to the subject lands.

g) Uses Permitted ("OS-HL-1" Zone)

No person shall within the land designated OS-HL-1 use any land for any purpose except the following:

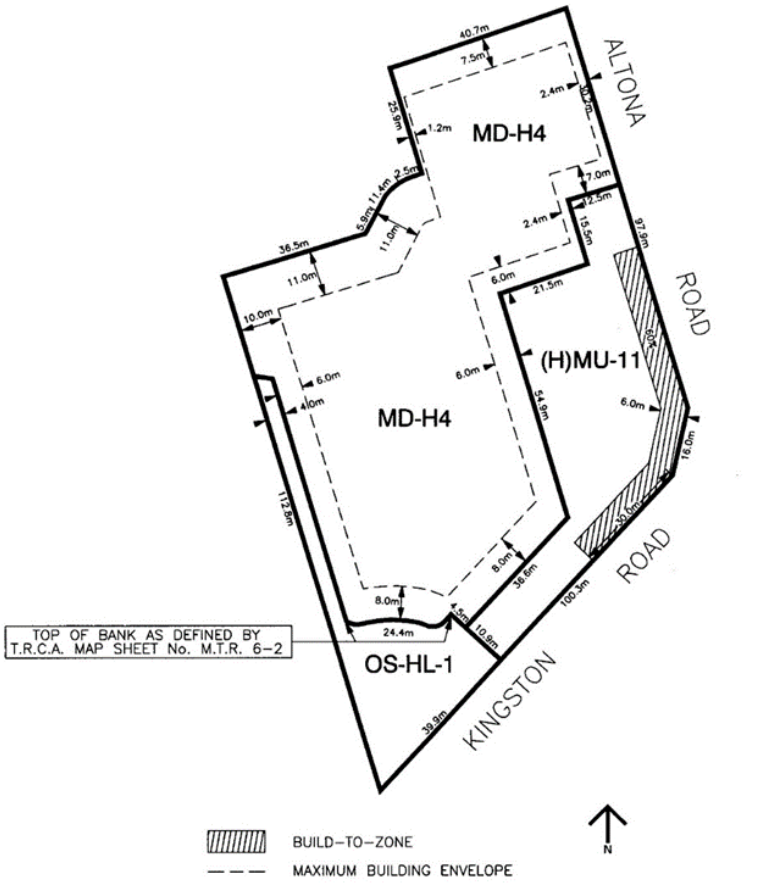
i. conservation of the natural environment, soil and wildlife; and,

ii. resource management.

h) Zone Requirements ("OS-HL-1" Zone)

No buildings or structures shall be permitted to be erected nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, or resource management.

3. Figure 1



SCHEDULE I TO BY-LAW 5838/01
PASSED THIS 22
DAY OF May 2001

AMENDED BY BY-LAW 5530/99 AND BY-LAW _____

MAYOR

CLERK

15.169 Exception Zone 169 (By-law 5412-98, as amended by By-law 5617-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Neighbourhood Park" shall mean a municipal public park.

   k) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted (“S3-7” Zone)

No person shall within the lands designated “S3-7” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements (“S3-7” Zone)

No person shall within the lands designated “S3-7” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum):

4.5 metres, except that, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 1.5 metres into a required front yard.

iv. INTERIOR SIDE YARD WIDTH (minimum):

1.2 metres on one side and 0.6 metres on the other side, except that, where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.0 metres on the other side.

A. Despite the provisions of Section 2(b)(iv) above, on the lands cross hatched on Figure 1 the minimum north side yard width shall be 0.6 metres and, the minimum south side yard width shall be 2 metres.

v. BUILDING SEPARATION (minimum): 1.2 metres

vi. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot.

B. despite clause A above, where a single storey covered and unenclosed porch or veranda having no habitable space above it is attached to the wall containing the main entrance to the dwelling unit, such porch or veranda shall be excluded from the calculation of lot coverage.

C. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage.

D. the total lot coverage of all accessory buildings, excluding detached private garages shall not exceed five percent.

E. despite clauses A and C above, where a detached private garage not exceeding 38 square metres in area is constructed in the rear yard of a lot with an area of 350 square metres or greater, such detached private garage shall be excluded from the calculation of lot coverage.

ix. BUILDING HEIGHT (maximum):

A. for a dwelling with or without an attached private garage: 9.0 metres

B. for all accessory buildings which are not part of the main building: 3.5 metres

x. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

xi. PARKING AND PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot.

B. a detached private garage shall be located in the rear yard or the side yard, but no part of a private detached garage shall be located in the front yard.

C. minimum driveway width of 5.0 metres.

D. despite the minimum driveway width requirement of clause C above, where a private detached garage is located entirely in the rear yard, clause C above shall not apply.

E. despite the front yard depth, interior side yard width and flankage side yard width requirements of this by-law, the vehicular entrance to a private garage shall be located not less than 6 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

F. no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

G. despite the minimum rear yard depth and minimum interior side yard width requirements of this by-law, if a detached garage is located entirely within a rear yard, it may be located a minimum of 1.0 metres from any interior side lot line or rear lot line provided that the provisions of clause E above and the minimum flankage side yard width requirements of this by-law are adhered to.

H. the maximum building height of any detached private garage shall be 3.5 metres.

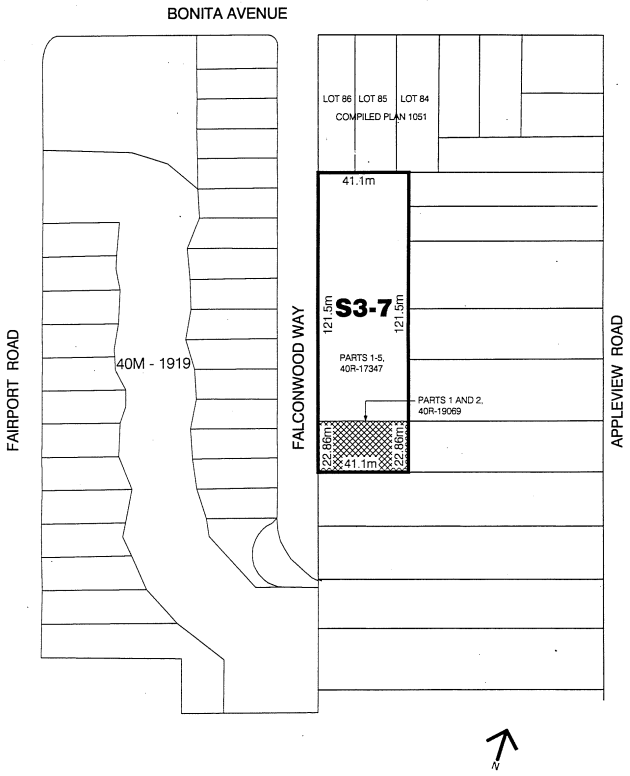
xii. ACCESSORY BUILDING LOCATION REQUIREMENTS:

A. all accessory buildings which are not part of the main dwelling, with the exception of a detached private garage, shall be located entirely within the rear yard, and not less than 1.0 metre from any lot line other than a flankage lot line.

B. accessory structures shall adhere to the minimum flankage side yard width requirements of this by-law.

C. despite clauses A and B above, an accessory building not exceeding 1.8 metres in height and/or not exceeding 10.0 square metres in area may be located in the rear yard not less than 0.6 metres from any lot line.

3. Figure 1



SCHEDULE I TO BY-LAW 5412/98
PASSED THIS 16th AMENDED BY BY-LAW 5617/00
DAY OF November **1998**

Signed
MAYOR

Signed
CLERK

15.170 Exception Zone 170 (By-law 5415-98)

1. Definitions

   a) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housing keeping unit containing a separate kitchen and sanitary facilities;

   b) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   c) "Nursing Home" shall mean a building or part of a building where people are lodged, fed, cared and provided for, and may be aided in any or all daily activities, and may include the provision of nursing services, medical care or treatment, and ancillary administrative offices, which is operated by a private, public, religious, cultural or charitable organization, and which is duly licensed pursuant to the laws of the Province of Ontario;

   d) "Retirement Home" shall mean a residence providing accommodation primarily for retired persons or couples where each private bedroom or living unit has a separate entrance from a common hall, where common facilities for the preparation and consumption of food are provided and common lounges, recreation rooms, medical care facilities and ancillary administrative offices may also be provided;

   e) "Storey" shall mean that portion of a building other than a basement, cellar, attic, or below-grade parking structure, included between the surface of any floor and the surface of the floor, roof deck or ridge next above it;

   f) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. PROVISIONS

   a) Uses Permitted ("R(RH-NH)" Zone)

      No person shall within the lands designated "R(RH-NH)", use any lot or erect, alter, or use any building or structure for any purpose except the following:

      i. nursing home

      ii. retirement home

b) Zone Requirements ("R(RH-NH)" Zone)

No person shall within the lands designated "R(RH-NH)", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. YARD SETBACKS (minimum):

As illustrated on Figure 1 attached hereto;

ii. BUILDING HEIGHT (maximum):

As illustrated on Figure 1 attached hereto;

iii. PARKING REQUIREMENTS:

A. There shall be provided and maintained on the lands designated “R(RH-NH)” a minimum of 164 parking spaces, which may be provided above and/or below grade;

B. Sections 5.21.2 (b) and 5.21.2 (e) of By-law 3036, as amended, shall not apply to the lands designated “R(RH-NH)”;

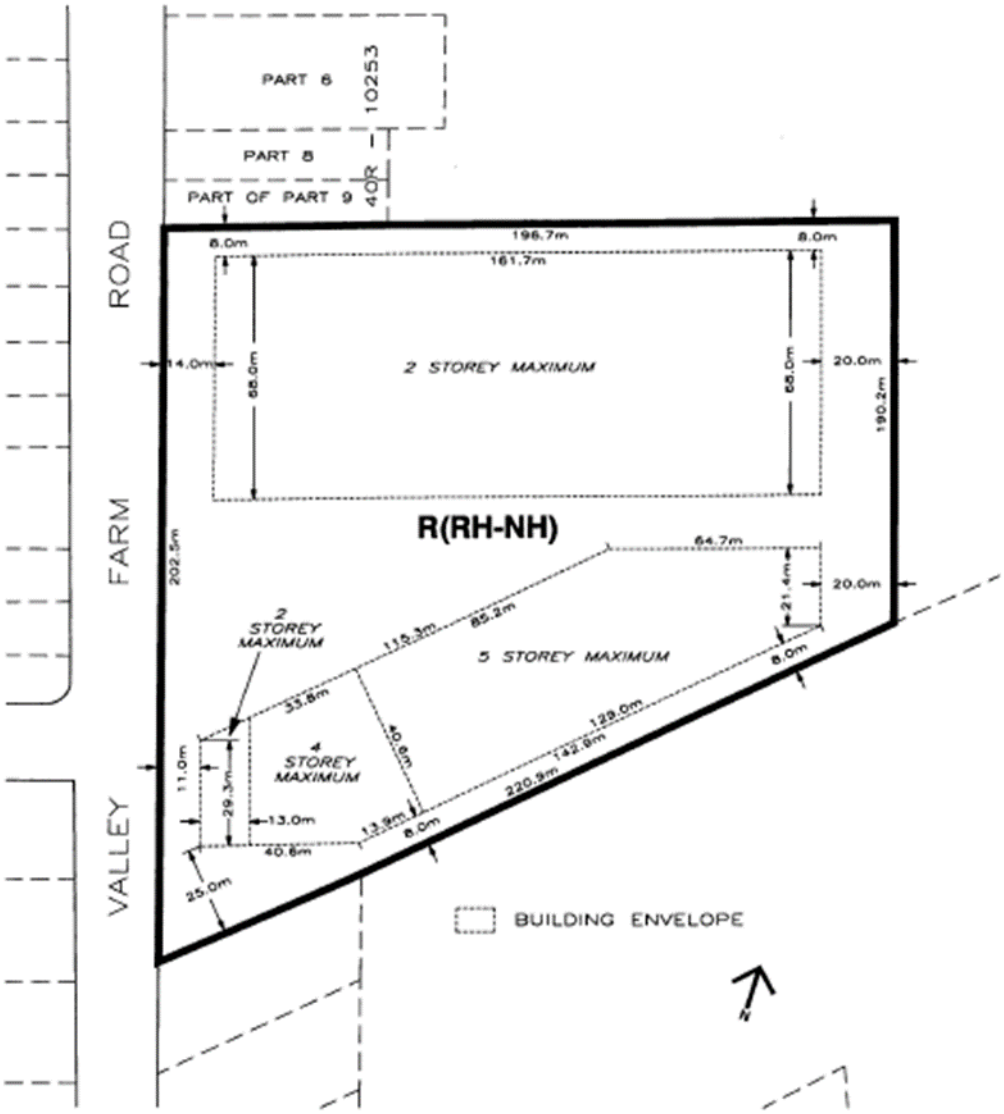
C. Notwithstanding Section 5.21.2 (g) of By-law 3036, as amended, all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof;

iv. SPECIAL REGULATIONS:

A. No more than 430 total living units provided within a nursing home and/or retirement home use are permitted on the lands designated “R(RH-NH)”;

B. For the purposes of this By-law, “Living Unit” shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit, and which may include a separate kitchenette and/or sanitary facilities, but is not a dwelling unit as defined herein.

3. Figure 1



SCHEDULE I TO BY-LAW 5415/98
PASSED THIS 7th
DAY OF December 1998

MAYOR

CLERK

15.171 Exception Zone 171 (By-law 5480-99)

1. Definitions

   a) "Build-to-Zone" shall mean an area of land within which all or part of a building or buildings are to be located;

   b) "Business Office" shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theaters, but shall not include a retail store;

   c) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   d) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   e) “Functional Floor Level” shall mean an enclosed building storey containing an area of at least 50% of the building’s ground floor area, and a ceiling height suitable for the intended use;

   f) "Gross Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods, equipment or wares related to the normal operation of a business office or professional office;

   k) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation

given, and which may include a clinic, the offices of an architect, a chartered accountant, and engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in section 224 (9)(b) of The Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto;

2. PROVISIONS

a) Uses Permitted ("MU-7" Zone)

b) No person shall within the lands designated "MU-7" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. business office

ii. professional office

iii. office-associated commercial establishment

iv. dwelling unit

c) Zone Requirements ("MU-7" Zone)

No person shall, within the lands designated "MU-7", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING RESTRICTIONS:

A. Building Location and Setbacks:

1) Buildings and structures shall comply with the minimum setbacks illustrated on Figure 1 attached hereto;

2) The build-to-zone illustrated on Figure 1 attached hereto shall have located within it all or part of a building or buildings occupying the minimum percentage of the length of the build-to-zone indicated on Figure 1;

3) Notwithstanding clause 2) above, a deck, patio, or any building addition having a gross floor area less than 10 square metres, shall not be considered to be a building or part of a building for the purpose of satisfying the requirements of that clause, only;

4) A minimum of 165 square metres of gross floor area shall be located within the area hatched or cross-hatched on Figure 1 attached to this By-law;

B. Building Height (minimum): two storeys or 6.5 metres

C. Building Height (maximum): two storeys or 6.5 metres, except that in the area between the front lot line and a distance measured 40 metres from the front lot line on the lot, the maximum building height is 16 metres and four functional floor levels

ii. PARKING REQUIREMENTS:

A. There shall be provided and maintained on the lands designated "MU-7" a minimum of 5.4 parking spaces for each 100 square metres of gross leasable floor area or part thereof devoted to office or an office-associated use, plus 2 parking spaces per dwelling unit;

B. Clauses 5.21.2a) to 5.21.2e), inclusive, of By-law 3036, as amended, shall not apply to the lands designated "MU-7";

C. Notwithstanding clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all parking areas and all entrances and exits thereto shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

D. Notwithstanding clause 2.2.1 of By-law 3036, the minimum two-way parking traffic aisle width shall be 6.0 metres.

iii. SPECIAL REGULATIONS:

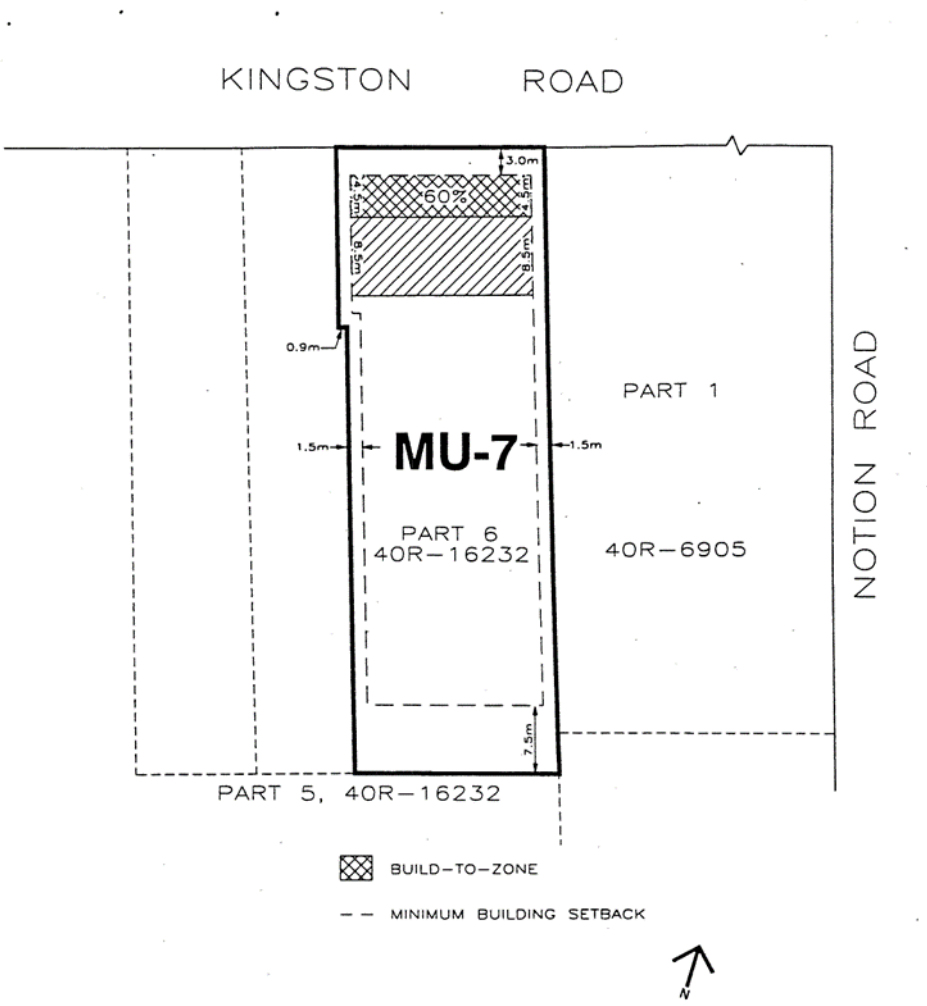
A. All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display;

B. A maximum of two dwelling units are permitted on the lands designated "MU-7";

C. An office-associated commercial establishment shall be permitted only within a building or structure that contains a business office, professional office, or both business and professional offices, and the aggregate of the gross leasable floor areas of all such office-associated commercial establishments shall not exceed 20 percent of the gross leasable floor area of all business and professional offices within the building or structure;

D. Notwithstanding the provisions of subsection (i) above, the building existing on the lands designated "MU-7" on the date of passing of this By-law, as illustrated on the site plan granted final site plan approval by the Director of Planning on April 1, 1999, shall be deemed to comply with the provisions of By-law 3036, as amended. Any alterations, additions, or new development on the lands shall comply with all the provisions set out in this By-law.

3. Figure 1



SCHEDULE I TO BY-LAW 5480/99
PASSED THIS 6th
DAY OF April **1999**

MAYOR

CLERK

15.172 Exception Zone 172 (By-law 5493-99, as amended by By-law 5708-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Neighbourhood Park" shall mean a municipal public park;

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S3" Zone)

No person shall within the lands designated "S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("S3" Zone)

No person shall within the lands designated "S3" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres;

ii. LOT FRONTAGE (minimum): 12.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. SIDE YARD WIDTH (minimum): 1.2 metres;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 38 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except:

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

2) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of an attached private garage, no part of any attached private garage shall extend more than 4.5 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. notwithstanding clause 5.18(a) of By-law 3036, as amended, accessory structures shall be set back a minimum 3.0 metres from the rear lot line of any lot abutting lands designated "OS-HL";

B. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of each lot so long as no part thereof shall exceed 2.5 metres in depth or 6.0 metres in width.

c) Uses Permitted ("S4-3" Zone)

No person shall within the lands designated "S4-3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

d) Zone Requirements ("S4-3" Zone)

No person shall within the lands designated "S4-3" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres;

ii. LOT FRONTAGE (minimum): 9.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. INTERIOR SIDE YARD WIDTH:

A. 1.2 metres one side;

B. 0.6 metres the other side;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 48 percent;

viii. BUILDING HEIGHT (maximum): 12 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

2) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of an attached private garage, no part of any attached private garage shall extend more than 6.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. notwithstanding clause 5.18(a) of By-law 3036, as amended, accessory structures shall be set back a minimum 3.0 metres from the rear lot line of any lot abutting lands designated "OS-HL";

B. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of each lot so long as no part thereof shall exceed 2.5 metres in depth or 6.0 metres in width.

e) Uses Permitted ("SD-4" Zone)

No person shall within the lands designated "SD-4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use;

f) Zone Requirements ("SD-4" Zone)

No person shall within the lands designated "SD-4" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 205 square metres;

ii. LOT FRONTAGE (minimum): 9.0 metres;

iii. FRONT YARD DEPTH (minimum): 3.0 metres;

iv. INTERIOR SIDE YARD WIDTH:

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, or a direct extension thereof, shall be set back from the lot line separating such lots as follows;

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum):7.0 metres;

vii. LOT COVERAGE (maximum): 50 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. despite the definition of "Dwelling, Semi-Detached" in clause 1(e), semi-detached dwellings erected in the "SD-4" Zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres of the horizontal depth of the building;

B. despite clause 2(f)(iii) and 2(f)(v) above, a covered porch may extend up to 2.0 metres into the minimum required front yard depth and 1.7 metres into the minimum required flankage side yard width;

C. notwithstanding clause 5.18(a) of By-law 3036, as amended, accessory structures shall be set back a minimum 3.0 metres from the rear lot line of any lot abutting lands designated "OS-HL";

D. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the

required rear yard of each lot so long as no part thereof shall exceed 2.5 metres in depth or 6.0 metres in width.

g) Uses Permitted ("S-SD-2" Zone)

No person shall within the lands designated "S-SD-2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

ii. semi-detached dwelling residential use;

h) Zone Requirements ("S-SD-2" Zone)

No person shall within the lands designated "S-SD-2" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres;

ii. LOT FRONTAGE (minimum): 7.5 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. INTERIOR SIDE YARD WIDTH:

A. detached dwelling residential use;

1) 0.3 metres one side; and

2) 1.2 metres the other side;

B. semi-detached dwelling residential use;

1) 1.2 metres; and

2) on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, or a direct extension thereof, shall be set back from the lot line separating such lots as follows;

I. 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

II. 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. FLANK SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 48 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except:

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

2) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of an attached private garage, no part of any attached private garage shall extend more than 4.5 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall not be less than 1.2 metres;

B. despite the definition of "Dwelling, Semi-Detached" in clause 1(e), semi-detached dwellings erected in the "S-SD-2" Zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres;

C. no more than 16 detached dwellings shall be erected on the lands "cross-hatched" on Figure 1 attached hereto;

D. notwithstanding clause 5.18(a) of By-law 3036, as amended, accessory structures shall be set back a minimum 3.0 metres from the rear lot line of any lot abutting lands designated "OS-HL";

E. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of each lot so long as no part thereof shall exceed 2.5 metres in depth or 6.0 metres in width.

i) Uses Permitted ("SWM/S3" Zone)

No person shall within the lands designated "SWM/S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. stormwater management, and the preservation and conservation of the natural environment, soil and wildlife uses;

ii. detached dwelling residential use;

j) Zone Requirements ("SWM/S3" Zone)

i. with respect to the uses permitted by clause 2(i)(i), no buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes;

ii. with respect to the uses permitted by clause 2(i)(ii), no person shall within the lands designated "SWM/S3", use any lot or erect, alter or use any building except in accordance with the provisions of clause 2(b);

k) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park, and uses accessory thereto.

l) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

iii. pedestrian trails and walkways;

m) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

n) Uses Permitted ("SWM-OS" Zone)

No person shall within the lands designated "SWM-OS" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. stormwater management, and the preservation and conservation of the natural environment, soil and wildlife uses;

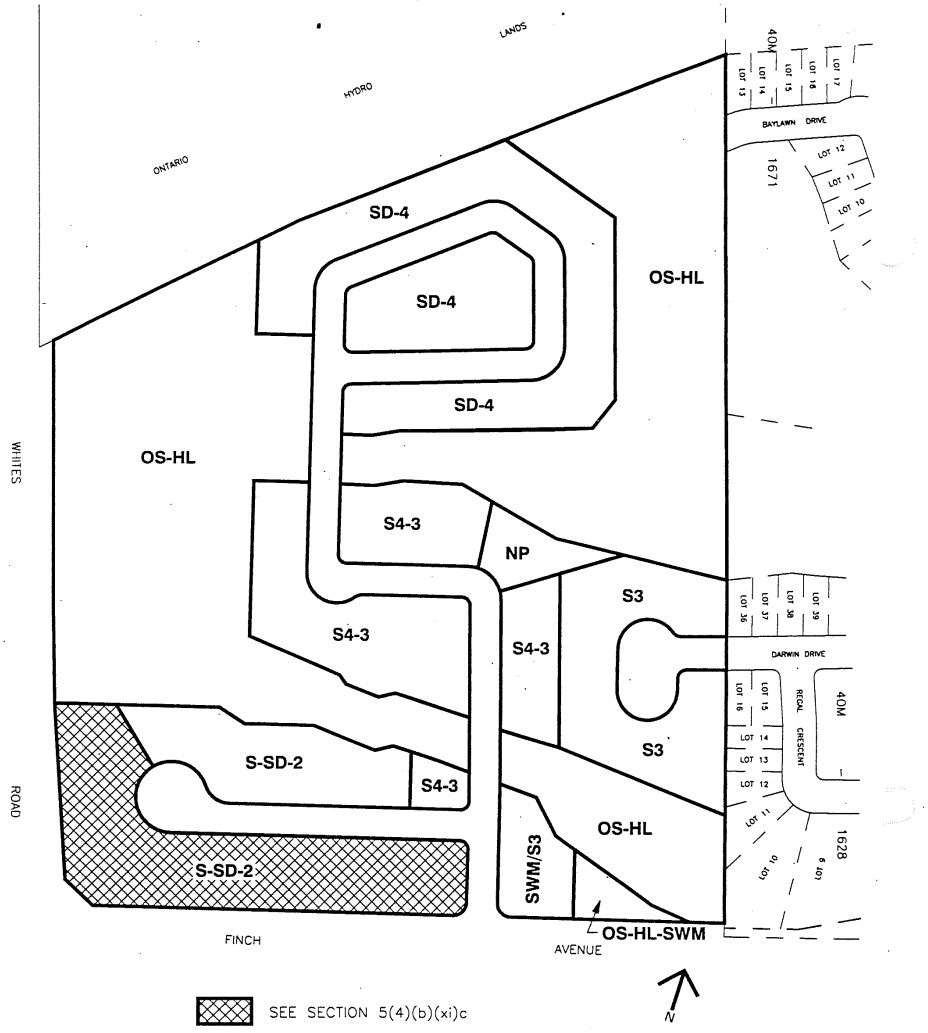
ii. resource management;

iii. pedestrian trails and walkways;

o) Zone Requirements ("SWM-OS" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

3. Figure 1



SCHEDULE I TO BY-LAW 5493/99
PASSED THIS 17th
DAY OF MAY 2000
AMENDED BY BY-LAW 5708/00

SIGNED
MAYOR

SIGNED
CLERK

15.173 Exception Zone 173 (By-law 5548-99)

2. Definitions

a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS ("R3-8", "S1-12" and "S2-13" Zones)

a) Uses Permitted ("R3-8", "S1-12" and "S2-13" Zones)

No person shall, within the lands designated "R3-8", "S1-12" and "S2-13", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling use.

b) Zone Requirements ("R3-8", "S1-12" and "S2-13" Zones)

No person shall, within the lands designated "R3-8", "S1-12" and "S2-13", use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "R3-8": 550 square metres;

B. on the lands designated "S1-12": 450 square metres;

C. on the lands designated "S2-13": 390 square metres;

ii. LOT FRONTAGE (minimum):

A. on the lands designated "R3-8": 18 metres;

B. on the lands designated "S1-12": 15 metres;

C. on the lands designated "S2-13": 13 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on the lands designated "R3-8":

1) 1.2 metres provided to the nearest wall of a private garage attached to the main dwelling; and

2) 1.8 metres provided to any other wall of the main dwelling;

B. on the lands designated "S1-12":

1) minimum 1.2 metres each side; or

2) minimum 1.8 metres one side and no minimum other side;

C. on the lands designated "S2-13"

1) minimum 1.2 metres one side, 0.6 metres other side; or

2) no minimum one side so long as on the other side:

I. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage; and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 38 percent;

viii. BUILDING HEIGHT (maximum): 12 metres;

ix. DWELLING UNIT REQUIREMENT: maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres;

x. PARKING REQUIREMENT: minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS:

A. despite the side yard width provisions of Section 2(b)(iv) above, the minimum side yard width adjacent to a walkway shall be 1.2 metres;

B. despite the rear yard provisions of Section 2(b)(vi) above, for lots illustrated with "hatching" on Figure 1attached hereto, any dwelling shall be set back a minimum 10.0 metres, and any accessory structure shall be set back a minimum 3.5 metres, from the rear property line;

C. no part of any private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or verandah extends a minimum 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

3. PROVISIONS ("S1" and "S2" Zones)

a) Uses Permitted ("S1" and "S2" Zones)

No person shall, within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling use.

b) Zone Requirements ("S1" and “S2" Zones)

No person shall, within the lands designated "S1" and "S2", use any lot or erect, alter or use any building or structure except in the accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "S1" 450 square metres;

B. on the lands designated "S2" 400 square metres;

ii. LOT FRONTAGE (minimum):

A. on the lands designated "S1" 15 metres;

B. on the lands designated "S2" 13.5 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. SIDE YARD DEPTH (minimum):

A. on the lands designated "S1"

1) minimum 1.2 metres each side; or

2) minimum 1.8 metres one side and no minimum other side;

B. on the lands designated "S2"

1) minimum 1.2 metres one side, 0.6 metres other side; or

2) no minimum one side so long as on the other side:

I. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage; and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 38 percent;

viii. BUILDING HEIGHT (maximum): 12 metres;

ix. DWELLING UNIT REQUIREMENT: maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres;

x. PARKING REQUIREMENT: minimum one private garage per lot attached to the main dwelling, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres;

B. notwithstanding Section 3(b)(vi), the lots identified in tone on Figure 1 to this by-law shall have a minimum rear yard depth of 10 metres, and any accessory structure shall be set back a minimum of 3.5 metres, from the rear property line.

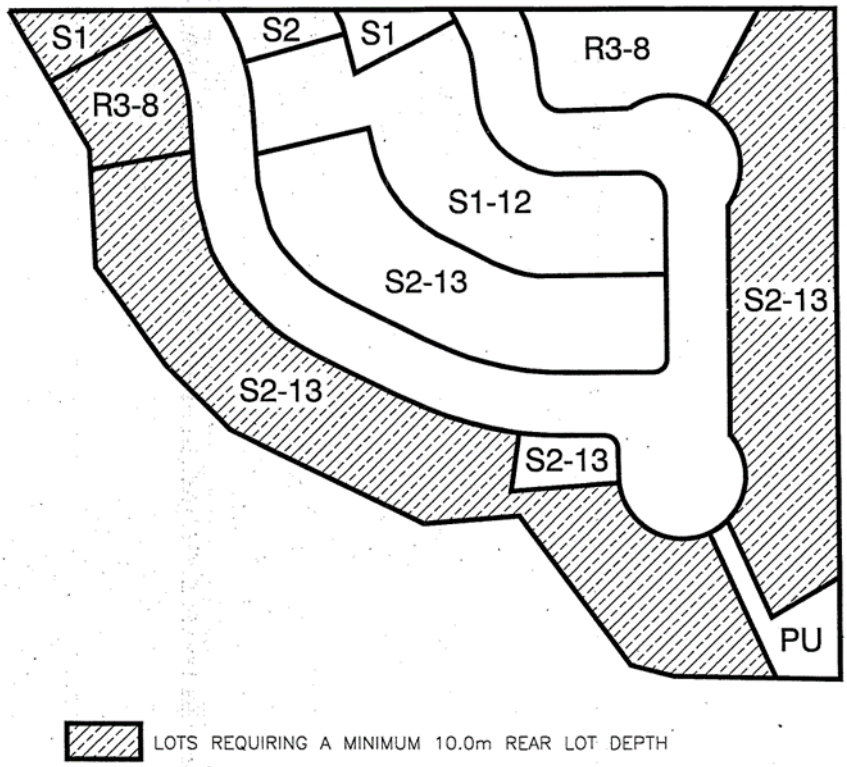
4. PROVISIONS ("PU" Zone)

a) Uses Permitted ("PU" Zone)

No person shall, within the lands designated "PU", shall use any lot or erect, alter or use any building or structure for any purposes except the following:

i. sewage pumping station.

5. Figure 1



SCHEDULE I TO BY-LAW 5548/99
AS MADE BY
ONTARIO MUNICIPAL BOARD

ORDER DATE September 1, 1999
(O.M.B. FILE Z980087)

15.174 Exception Zone 174 (By-law 5575-99, as amended by By-law 5780-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure with a minimum accessible interior dimension of 2.6 metres wide by 5.3 metres long devoted to the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("R4-9" and “S3-7” Zones)

No person shall within the lands designated "R4-9" and “S3-7” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-9" and “S3-7” Zones)

No person shall within the lands designated "R4-9" and “S3-7” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated “R4-9”: 460 square metres

B. on lands designated “S3-7”: 350 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated “R4-9”: 15.0 metres

B. on lands designated “S3-7”: 12.0 metres

iii. FRONT YARD DEPTH (minimum):

A. for lots fronting on Fairport Road: 7.5 metres

B. for lots flanking Fairport Road: see Figure 1

C. for all other flanking lots 4.5 metres

D. for all other lots: 4.5 metres

E. despite clause B and C above, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 2.4 metres into a required yard.

F. despite clauses A and D above, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 1.5 metres into a required front yard.

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on lands designated “R4-9”: 1.2 metres

B. on lands designated “S3-7”:

C. 1.2 metres on one side and 0.6 metres on the other side

D. despite clauses A and B above, where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.0 metres on the other side.

v. BUILDING SEPARATION (minimum):

A. on lands designated “R4-9”: 2.4 metres

B. on lands designated “S3-7”: 1.2 metres

vi. FLANKAGE SIDE YARD WIDTH (minimum):

A. for lots flanking on Fairport Road: see Figure 1

B. for all other lots: 2.7 metres

C. despite clauses A above, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 2.4 metres into the required yard.

D. despite clauses B above, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 1.5 metres into a required front yard.

vii. REAR YARD DEPTH (minimum): 7.5 metres

viii. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot.

B. despite clause A above, where a single storey covered and unenclosed porch or veranda having no habitable space above it is attached to the wall containing the main entrance to the dwelling unit, such porch or veranda shall be excluded from the calculation of lot coverage.

C. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage.

D. the total lot coverage of all accessory buildings, excluding detached private garages shall not exceed five percent.

E. despite clauses A and C above, where a detached private garage not exceeding 38 square metres in area is constructed in the rear yard of a lot with an area of 350 square metres or greater, such detached private garage shall be excluded from the calculation of lot coverage.

ix. BUILDING HEIGHT (maximum):

A. for a dwelling with or without an attached private garage: 9.0 metres

B. for all accessory buildings which are not part of the main building: 3.5 metres

x. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

xi. PARKING AND PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot.

B. a detached private garage shall be located in the rear yard or the side yard, but no part of a private detached garage shall be located in the front yard.

C. minimum driveway width of 5.0 metres.

D. despite the minimum driveway width requirement of clause C above, where a private detached garage is located entirely in the rear yard, clause C above shall not apply.

E. despite the front yard depth, interior side yard width and flankage side yard width requirements of this by-law, the vehicular entrance to a private garage shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street, except that for lots fronting on Fairport Road, the vehicular entrance to garages shall be located not less than 7.5 metres from the front lot line.

F. on lands designated “R4-9” and “S3-7”, no part of any attached private garage shall extend more than 2.0 metres beyond the exterior wall of a habitable room adjacent to the garage, or 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

G. despite the minimum rear yard depth and minimum interior side yard width requirements of this by-law, if a detached garage is located entirely within a rear yard, it may be located a minimum of 1.0 metres from any interior side lot line or rear lot line provided that the provisions of clause E above and the minimum flankage side yard width requirements of this by-law are adhered to.

H. the maximum building height of any detached private garage shall be 3.5 metres.

xii. ACCESSORY BUILDING LOCATION REQUIREMENTS:

A. all accessory buildings which are not part of the main dwelling, with the exception of a detached private garage, shall be located entirely within in the rear yard, and not less than 1.0 metre from any lot line other than a flankage lot line.

B. accessory structures shall adhere to the minimum flankage side yard width requirements of this by-law.

C. despite clauses A and B above, an accessory building not exceeding 1.8 metres in height and/or not exceeding 10.0 square metres in area may be located in the rear yard not less than 0.6 metres from any lot line.

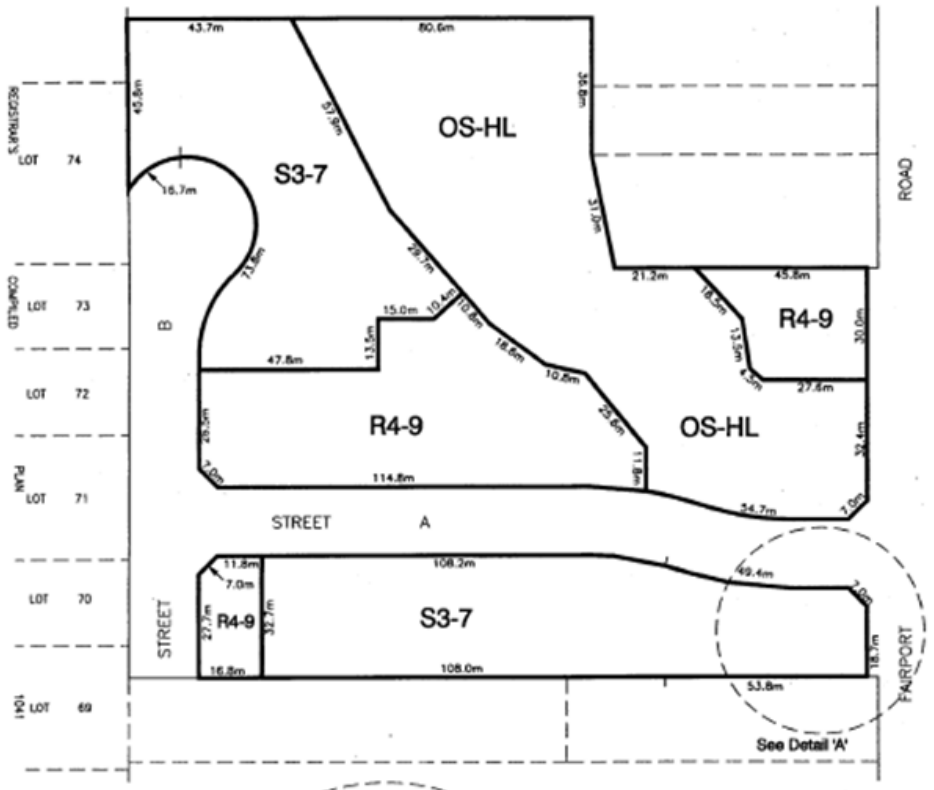
c) Uses Permitted ("OS-HL" Zone)

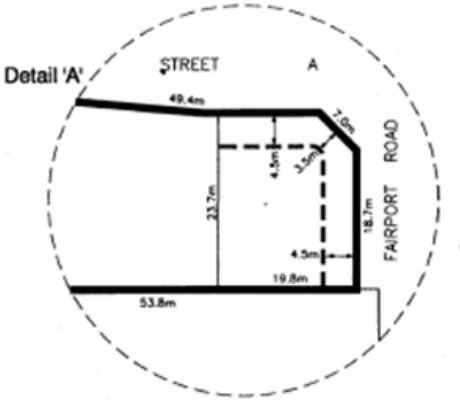
No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

3. Figure 1





SCHEDULE I TO BY-LAW 5575/99
AMENDED BY BY-LAW 5780/00
AS MADE BY
ONTARIO MUNICIPAL BOARD

ORDER DATE JANUARY 6, 2000

15.175 Exception Zone 175 (By-law 5632-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and

unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street abutting a reserve on the opposite side of which is a street;

t) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting a reserve, the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S5-1")

No person shall, within the lands zoned "S5-1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“S5-1”)

No person shall, within the lands zoned "S5-1", use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres one side; and

B. 0.6 metres the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. 7.5 metres; or

B. 12.5 metres, where the “OS-HL-1” Zone abuts the rear lot line

vii. LOT COVERAGE (maximum): 48 percent

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot;

B. the vehicular entrance to a private garage shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve, the opposite side of which is a street;

C. notwithstanding clause B above, where the vehicular entrance of a private garage is perpendicular to the front lot line, the nearest wall of that private garage shall be located a minimum of 4.5 metres from the front lot line, and vehicular entrance shall be located not less than 6.0 metres from a side lot line adjoining and accessing a street;

D. no part of any attached garage, whether or not such garage has a second storey, shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit;

E. despite the garage extension requirement of clause D above, where a covered and unenclosed porch or veranda extends a

minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 4.5 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres;

B. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of each lot provided no part thereof shall exceed 2.5 metres in depth or 6.0 metres in width.

c) Uses Permitted ("S6" Zone)

No person shall, within the lands zoned "S6" on, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements ("S6" Zone)

No person shall, within the lands zoned "S6", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 0.3 metres one side; and

B. 1.2 metres the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 48 percent

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot, with a maximum outer width of 3.5 metres;

B. the vehicular entrance to a private garage shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

C. no part of any attached garage, whether or not such garage has a second storey, shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit;

D. despite the garage extension requirement of clause C above, where a covered and unenclosed porch or veranda extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 4.5 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres;

B. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of each lot provided no part thereof shall exceed 2.5 metres in depth or 6.0 metres in width.

e) Uses Permitted ("OS-HL-1" Zone)

No person shall, within the lands zoned "OS-HL-1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil, and wildlife

ii. resource management

f) Zone Requirements ("OS-HL-1" Zone)

No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or removed except for purposes of flood and erosion control or resource management.

15.176 Exception Zone 176 (By-law 5669-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   f) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Neighbourhood Park" shall mean a municipal public park;

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("SD-4" Zone)

No person shall within the lands designated "SD-4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use;

b) Zone Requirements ("SD-4" Zone)

No person shall within the lands designated "SD-4" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 205 square metres;

ii. LOT FRONTAGE (minimum): 9.0 metres;

iii. FRONT YARD DEPTH (minimum): 3.0 metres;

iv. INTERIOR SIDE YARD WIDTH:

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, or a direct extension thereof, shall be set back from the lot line separating such lots as follows;

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 5.0 metres;

vii. LOT COVERAGE (maximum): 50 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. no part of any attached private garage shall extend beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. despite the definition of "Dwelling, Semi-Detached" in clause 1(e), semi-detached dwellings erected in the "SD-4" Zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6.0 metres of the horizontal depth of the building;

B. despite clause 2(b)(iii) and 2(b)(v) above, a covered porch may extend up to 2.0 metres into the minimum required front yard depth and 1.7 metres into the minimum required flankage side yard width;

C. notwithstanding clause 5.18(a) of By-law 3036, as amended, accessory structures shall be set back a minimum 3.0 metres from the rear lot line of any lot abutting lands designated "OS-HL";

D. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of each lot so long as no part thereof shall exceed 2.5 metres in depth or 6.0 metres in width.

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

iii. pedestrian trails and walkways;

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

15.177 Exception Zone 177 (By-law 5689-00, as amended by By-law 6371-04)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve, the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting a reserve, the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted (“S3-10” Zone)

No person shall within the lands designated “S3-10” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling;

b) Zone Requirements (“S3-10” Zone)

No person shall within the lands designated “S3-10” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres on one side and 0.6 metres on the other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. Rear Yard Depth (minimum):

A. the minimum rear yard depth for all lots shall be 7.5 metres;

B. despite paragraph A above, for the lot hatched on Figure 1 attached, the minimum rear yard depth shall be 6.0 metres.

vii. LOT COVERAGE (maximum): 38 percent

viii. Building HEIGHT (maximum):

A. the maximum building height shall be 12.0 metres;

B. despite paragraph A above, the maximum height of buildings on the lands being, Part of Lot 27, Plan 1051, (40R-20758, Part 1), shall be 9.0 metres;

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot;

B. any vehicular entrance to a private garage shall be located not less than 6 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve, the opposite side of which is a street;

C. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.8 metres;

B. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of a lot provided no part thereof exceeds 2.5 metres in depth or 6.0 metres in width

C. despite paragraph B above, for the lot hatched on Figure 1 attached, uncovered steps and platforms may not project into the required rear yard.

c) Uses Permitted ("OS-HL-4" Zone)

No person shall, within the lands zoned "OS-HL-4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil, and wildlife

ii. resource management

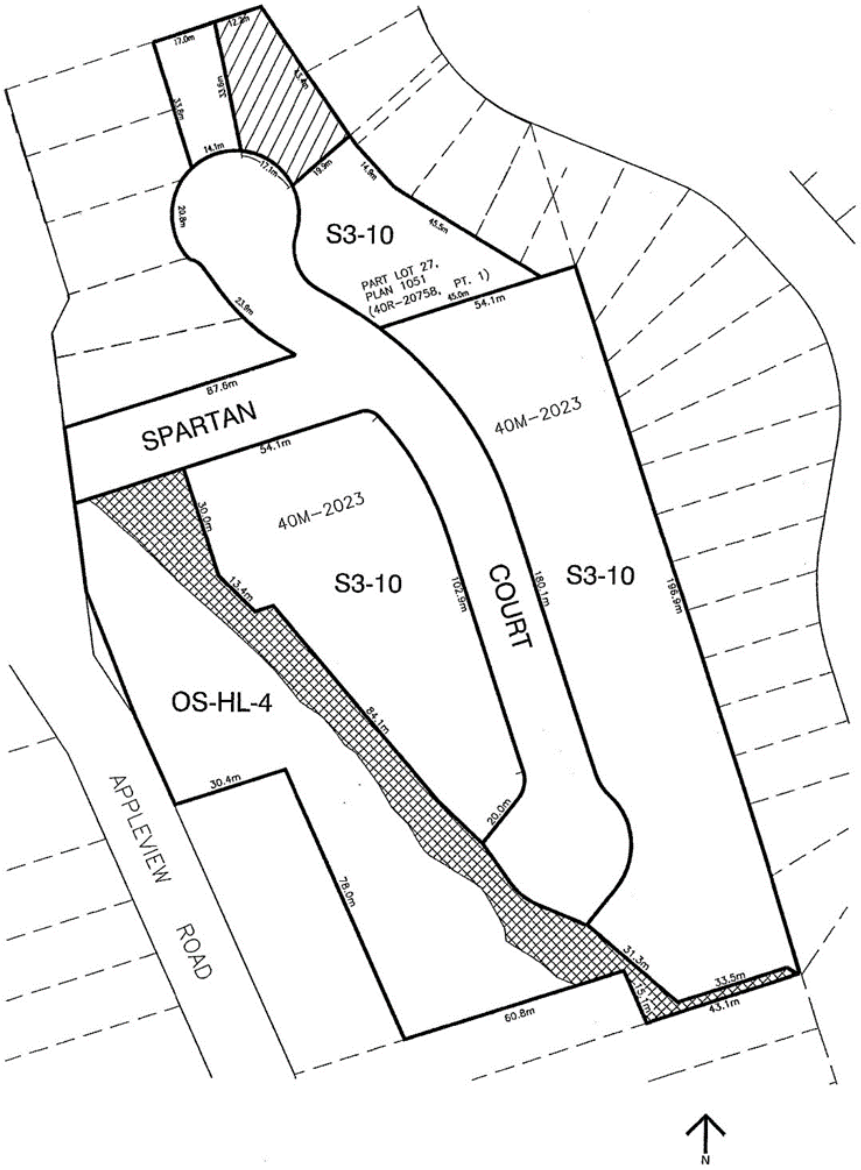
d) Zone Requirements ("OS-HL-4" Zone)

No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or removed except for the purposes of flood and erosion control, resource management, or to accommodate a pedestrian trail, walkway, or storm sewer facilities;

e) Special Regulations

Despite subsections 2(c) and (d) above, pedestrian trail or walkway activities, and the installation of storm sewer facilities shall be permitted within the cross-hatched areas on Figure 1.

3. Figure 1



SCHEDULE I TO BY-LAW 5689/00

AS MADE BY
ONTARIO MUNICIPAL BOARD
AS AMENDED BY BY-LAW 6371/04
DECISION/ORDER No. 0856
ISSUE DATE June 7, 2000
(O.M.B. FILE Z000013)

15.178 Exception Zone 178 (By-law 5709-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting a reserve, the opposite side of which is a street;

s) “Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting a reserve, the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted (“R4-14” Zone)

No person shall within the lands designated “R4-14” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling;

b) Zone Requirements (“R4-14” Zone)

No person shall within the lands designated “R4-14” use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT FRONTAGE (minimum):

15.0 metres, except that for the area cross-hatched on Figure 1, the minimum lot frontage shall be 16.3 metres

ii. LOT AREA (minimum):

460 square metres, except that for the area cross-hatched on Figure 1, the minimum lot area shall be 602.3 square metres

iii. FRONT YARD DEPTH (minimum):

4.5 metres, except that for the areas hatched and cross-hatched on Figure 1, the minimum front yard depth shall be 7.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

1.2 metres, except that for the area cross-hatched on Figure 1, the minimum interior westerly side yard width shall be 2.5 metres

v. REAR YARD DEPTH (minimum):

7.5 metres from the rear lot line, except that where the OS/HL Zone intersects the rear yard of any lot, the minimum rear yard depth shall be 5 metres from the OS/HL zone

vi. LOT COVERAGE (maximum):

A. 38 percent for all buildings and structures on a lot

B. despite clause A above, where a one-storey detached dwelling with an attached private garage is constructed on a lot, the attached private garage shall be excluded from the calculation of lot coverage

C. despite clause A above, where a single storey covered and unenclosed verandah or porch having no habitable space above it is attached to the front or flankage side of a dwelling unit, such porch shall be excluded from the calculation of lot coverage

vii. BUILDING HEIGHT (maximum)12 metres

viii. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres

ix. PARKING REQUIREMENTS:

A. minimum one private garage per lot;

B. except for areas hatched or cross-hatched on Figure 1, any vehicular entrance to a private garage shall be located not less than 6 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve, the opposite side of which is a street;

x. SPECIAL REGULATIONS:

A. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of a lot provided no part thereof exceeds 2.5 metres in depth or 6.0 metres in width

c) Uses Permitted ("OS-HL" Zone)

No person shall, within the lands zoned "OS-HL", use any lot or erect, alter or use any building or structure for any purpose except the following:

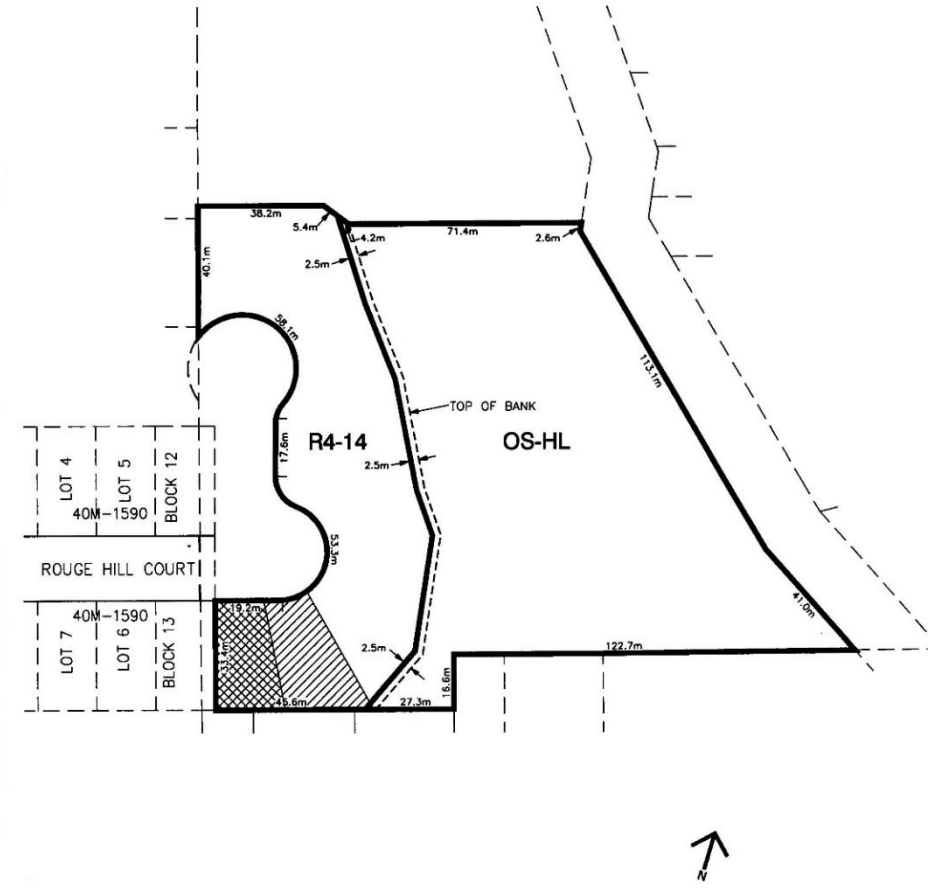
i. conservation of the natural environment, soil, and wildlife

ii. resource management

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or removed except for purposes of flood and erosion control or resource management.

3. Figure 1



SCHEDULE I TO BY-LAW 5709/00
PASSED THIS 26th
DAY OF June 2000

MAYOR

CLERK

15.179 Exception Zone 179 (By-law 5770-00)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S1-13" Zone)

No person shall within the lands designated "S1-13", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling unit

b) Zone Requirements ("S1-13" Zone)

No person shall within the lands designated "S1-13", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 460 square metres

ii. LOT FRONTAGE (minimum):

A. 15 metres, or

B. 13.5 metres for any lands located within the area diagonally hatched on Figure 1 attached to this By-law.

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38%

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres.

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building;

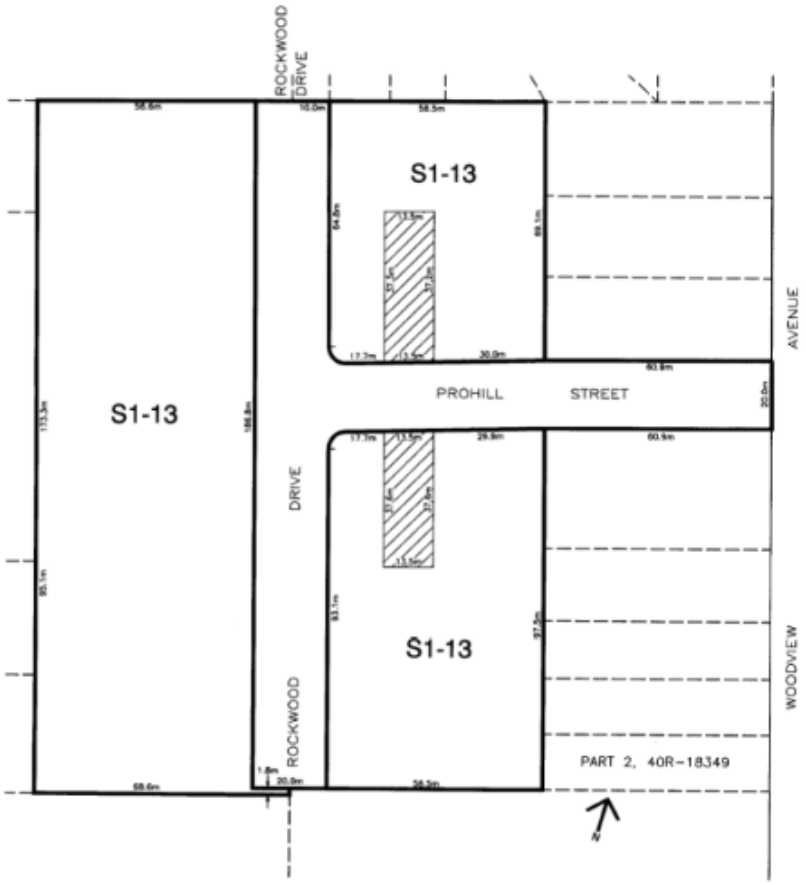
B. any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street; and,

C. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or veranda extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

xi. SPECIAL REGULATION:

notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres in depth into the required rear yard of a lot provided no part thereof exceeds 6.0 metres in width.

3. Figure 1



SCHEDULE I TO BY-LAW 5770/00
AMENDED BY BY-LAW 5960/02
PASSED THIS 20TH
DAY OF NOVEMBER 2000

MAYOR

CLERK

15.180 Exception Zone 180 (By-law 5830-01)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("SD-7" Zone)

No person shall within the lands designated "SD-7", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use;

b) Zone Requirements ("SD-7" Zone)

No person shall within the lands designated "SD-7", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 205 square metres;

ii. LOT FRONTAGE (minimum): 7.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, or a direct extension thereof, shall be set back from the lot line separating such lots as follows;

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.0 metres;

vii. LOT COVERAGE (maximum): 50 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached

private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

xi. SPECIAL REGULATIONS:

A. despite section 5.7 of By-law 3036, uncovered steps and platforms not exceeding 2.0 metres in height shall be permitted to project a maximum of 1.5 metres into a required rear yard; and

B. a bay window shall be permitted to project a maximum of 0.6 metres into any required flankage side yard.

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

iii. pedestrian trails and walkways;

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

e) Uses Permitted ("A" Zone)

No person shall within the lands designated "A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following:

i. Section 7.1 of By-law 3036.

f) Zone Requirements ("A" Zone)

No person shall within the lands designated "A" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. Section 7.2 of By-law 3036.

15.181 Exception Zone 181 (By-law 5850-01)

1. Definitions

   a) "Adult Entertainment Parlour" shall mean a building or part of a building in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   b) "Business Office" shall mean a building or part of a building in which the management or direction of business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   c) "Convenience Store" shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale primarily to residents of or persons employed in the immediate neighbourhood;

   d) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   e) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   f) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   g) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   h) "Food Store" shall mean a building or part of a building in which primarily food produce is stored, offered and kept for retail sale to the public and in which items or merchandise of day-to-day necessity may be stored, offered and kept for retail sale to the public;

   i) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   j) "Gross Leasable Floor Area" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than rooms jointly used by tenants of the building, such as garbage storage areas, mechanical and electrical rooms;

k) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

m) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

n) "Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224 (9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto, or an Adult Entertainment Parlour as defined herein;

o) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in section 224 (9)(b) of the Municipal Act, R.S.O. 1990, chapter M.45, as amended from time-to-time, or any successor thereto, or an Adult Entertainment Parlour as defined herein;

p) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

q) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

r) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

s) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the

junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

u) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

v) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

w) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

x) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("R3-MU" Zone)

No person shall within the lands designated "R3-MU", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling;

ii. business office;

iii. professional office;

iv. personal service shop;

v. retail store.

b) Zone Requirements ("R3-MU" Zone)

No person shall within the lands designated "R3-MU", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. AREA REQUIREMENTS

A. Any permitted use shall be subject to the area requirements of Section 9.2 of Zoning By-law 3036, as amended;

B. Despite (A) above, the minimum gross floor area for a detached dwelling residential use shall be 90 square metres;

ii. PARKING REQUIREMENTS:

A. For the purpose of this clause, "parking space" shall mean a useable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of a vehicle, but shall not include any portion of a parking aisle of driveway;

B. There shall be provided and maintained on the lands designated "R3-MU", a minimum of 8 parking spaces for any business office, professional office, personal service shop, and retail store, including a detached dwelling;

C. Despite (B) above, there shall be provided and maintained on the lands designated "R3-MU" a minimum of 1 parking space for a detached dwelling only;

D. Clauses 5.21.2 a) and 5.21.2 b) of By-law 3036, as amended, shall not apply to the lands designated "R3-MU";

E. Notwithstanding clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all entrance and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof;

iii. SPECIAL REGULATIONS:

A. The maximum aggregate gross leasable floor area for all business office, professional office, personal service shop, and retail stores shall be 130 square metres;

B. All uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display;

C. For the purposes of this By-law, a retail store shall not include a convenience store or a food store as defined herein;

D. The maximum building height shall not exceed one-storey and 6.0 metres in height.

15.182 Exception Zone 182 (By-law 5870-01)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

2. PROVISIONS

a) Uses Permitted ("R4-18" Zone)

No person shall within the lands designated "R4-18", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling;

b) Zone Requirements ("R4-18" Zone)

No person shall within the lands designated "R4-18", use any lot or erect, alter, or use any building except in accordance with the provisions of Section 10.2 of By-law 3036.

i. Despite Section 2(b) above and Section 10.2.3 of By-law 3036 on the lands not cross hatched on Figure 1 attached hereto a minimum south side yard width of 1.4 metres shall be provided.

ii. Despite the provisions of Section 2(b) above and Section 10.2 of By-law 3036 the following provisions shall apply to the lands cross-hatched on Figure 1 attached hereto;

A. LOT AREA (minimum): 360 square metres;

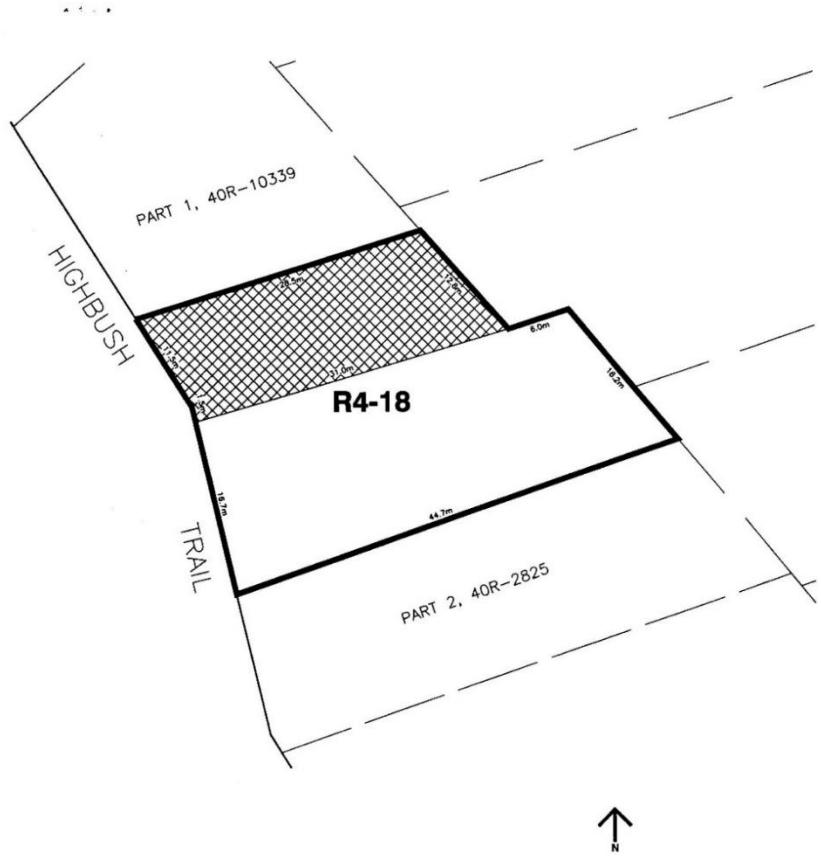
B. LOT FRONTAGE (minimum): 12.5 metres;

C. SIDE YARD WIDTH (minimum): 1.5 metres;

D. LOT COVERAGE (maximum): 38 percent;

E. BUILDING HEIGHT (maximum): 9 metres;

3. Figure 1



SCHEDULE I TO BY-LAW 5870/01
PASSED THIS 7
DAY OF August 2001

MAYOR

DEPUTY CLERK

15.183 Exception Zone 183 (By-law 7394-14)

1. Definitions

a) “Bay, Bow, Box Window” shall mean a window that protrudes from the main wall, usually bowed, canted, polygonal, segmental, semicircular or square sided with window on front face in plan; one or more storeys in height, which may or may not include a foundation; may or may not include a window seat; and may include a door;

b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

d) "Dwelling, Detached” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

e) “Multiple Dwelling – Horizontal” shall mean a building containing three or more dwelling units attached horizontally by an above-grade wall or walls;

f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar.

h) “Height, Building” shall mean the vertical distance between the established grade, at the front of the house, and in the case of a flat roof, the highest point of the roof surface or parapet wall, or in the case of a mansard roof the deck line, or in the case of a gabled, hip or gambrel roof, the mean height between eaves and ridge.

i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

j) "Lot Coverage" shall mean the combined areas of all the buildings on the lot measured at the level of the first floor and expressed as a percentage of the lot area;

k) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Provisions (“S3-15”, “MD-H9”, “MD-H10” and “MD-H11” Zones)

a) Uses Permitted (“S3-15”, “MD-H9”, “MD-H10” and “MD-H11” Zones)

i. No person shall within the lands zoned “S3-15”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

A. detached dwelling

ii. No person shall within the lands zoned “MD-9”, “MD-10” and MD-H11”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

A. multiple dwelling – horizontal

b) Zone Requirements (“S3-15” and “MD-H9” Zones)

No person shall within the lands zoned “S3-15” and “MD-H9” use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following provisions:

		“S3-15” Zone	“MD-H9” Zone
(a)	Lot Frontage (minimum)	(i) 13.0 metres for lands Figure 1 attached to this by-law (ii) 14.0 metres for lands as shown on Figure 2 attached to this by-law	6.0 metres
(b)	Lot Area (minimum)	480 square metres	150 square metres
(c)	Front Yard Depth (minimum)	7.0 metres	4.5 metres
(d)	Side Yard Depth (minimum)	1.2 metres on one side, 0.6 metres on the other side and provided there is a minimum 1.2 metres separation between dwellings on adjacent lots	1.5 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot
(e)	Rear Yard Depth (minimum)	7.0 metres	
(f)	Flankage Yard Depth (minimum)	n/a	2.7 metres

		“S3-15” Zone	“MD-H9” Zone
(g)	Building Height (maximum)	11.0 metres	
(h)	Lot Coverage (maximum)	(i) 45 percent for lands as shown on Figure 1 attached to this by-law (ii) 33 percent for lands as shown on Figure 2 attached to this by-law	50 percent
(i)	Driveway Width (maximum)	6.0 metres	(i) 3.0 metres (ii) 6.0 metres for units in the hatched area as shown on Figure 3 attached to this by-law

c) Zone Requirements (“MD-H10” and “MD-H11” Zones)

No person shall within the lands zoned “MD-H10” and “MD-H11” use any lot or erect, alter or use any building or structure except in accordance with the provisions as set out in the following provisions:

		“MD-H10” Zone	“MD-H11” Zone
(a)	Lot Frontage (minimum)	6.0 metres	
(b)	Lot Area (minimum)	120 square metres	
(c)	Front Yard Depth (minimum)	4.5 metres	2.7 metres
(d)	Side Yard Depth (minimum)	1.2 metres except where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot	
(e)	Rear Yard Depth	(i) 7.0 metres	3.0 metres

		“MD-H10” Zone	“MD-H11” Zone
	(minimum)	(ii) 6.0 metres for units in the hatched area as shown on Figure 4	
(f)	Flankage Yard Depth (minimum)	2.7 metres to Altona Road and 1.2 metres to a common element condominium street	
(g)	Building Height (maximum)	11.0 metres	
(i)	Driveway Width (maximum)	3.0 metres	6.0 metres
(j)	Number of Dwelling Units (maximum)	40 units	
(k)	Parking Requirements (minimum)	2.0 parking spaces per dwelling unit for residents, and 0.25 of parking space per dwelling unit for visitors	

d) Special Provisions (“S3-15”, “MD-H9”, “MD-H10” and “MD-H11” Zones)

i. Minimum Garage Requirements for lands zoned “S3-15”:

minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 7.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

ii. Minimum Garage Requirements for lands zoned “MD-H9” and “MD H10”:

minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the front lot line, and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

iii. Minimum Garage Requirements for lands zoned “MD-H11”:

minimum one private garage per lot attached to the main building, the vehicular entrance of which shall be located not less than 6.0 metres from the rear lot line;

iv. Maximum Garage Projection for lands zoned “S3-15”, “MD-H9” and “MD-H10”:

maximum 2.0 metres beyond the wall containing the main entrance to the dwelling unit, except where a covered and unenclosed porch extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

v. Obstruction of Yards for lands zoned “S3-15”, “MD-H9” and “MD-H10” (Maximum):

A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 2.0 metres into the required minimum front yard;

B. any uncovered decks, platforms and steps not exceeding 1.5 metres in height above established grade, may encroach a maximum of 3.0 metres into the required rear yard;

C. bay, bow or box window may encroach a maximum into required yards as follows:

1) front yard: 0.6 metres

2) flankage yard: 0.6 metres

3) rear yard: 0.6 metres

4) eaves above these features: may project to a further 0.6 metres into the required front or rear yards;

vi. Obstruction of Yards for lands zoned “MD-H11” (maximum):

A. any unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum of 1.5 metres into the required minimum front yard;

B. bay, bow or box window may encroach a maximum into required yards as follows:

1) front yard: 0.6 metres

2) flankage yard: 0.6 metres

3) rear yard: 0.6 metres

4) eaves above these features: may project to a further 0.6 metres into the required front or rear yards;

C. Despite any minimum front yard depth requirement; on a corner lot, the setback to a daylight triangle shall be a minimum of 1.2 metres;

e) Special Regulations (“S3-15”, “MD-H9”, “MD-H10” and “MD-H11” Zones)

i. Despite the provisions of Section 5.6 of By-law 3036, as amended, the requirement for the frontage on a public street shall be satisfied by establishing frontage on a common element condominium street for the lands on Figure 4 to this By-law;

ii. Despite Section (i) above, the lot line abutting Altona Road shall be deemed to be the Front Lot Line for the lands Zoned “MD H11”;

iii. A water meter building required by the Region of Durham for the purpose of measuring the quantity of water delivered shall be exempted from “MD-H10” and “MD-H11” zone use provisions and zone requirements;

iv. Section 5.22 of By-law 3036, as amended, shall not apply to the lands zoned “MD-H10” and “MD-H11”.

f) Dwelling Unit Requirements

i. Not more than a total of 77 dwelling units shall be permitted on the lands zoned as “S3-15”, “MD-H9”, “MD-H10” and “MD-H11”.

ii. Of the 77 dwelling units permitted, a maximum of 14 dwelling units are transferred as follows:

A. 5 units were transferred from lands zoned “S3-15” to lands zoned “MD-H9”;

B. 9 units were transferred from lands zoned “S3-15” to lands zoned “MD-H10” and “MD-H11”.

g) Model Homes

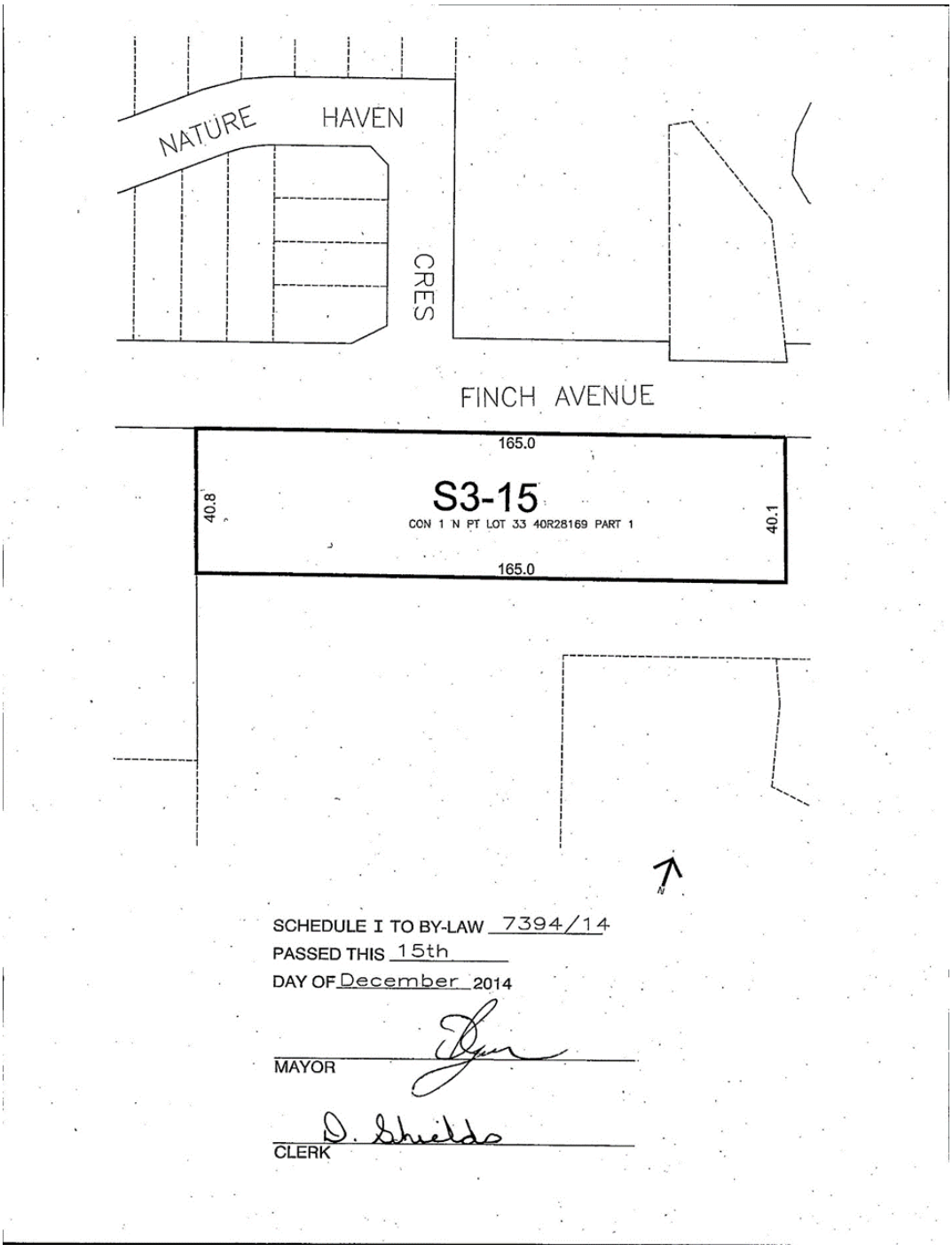
i. Despite the provisions of Section 6.1 of By-law 3036, as amended, a maximum of 3 model homes, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned “S3-15” prior to the division of those lands by registrations of a plan of subdivision or land division;

ii. Despite the provisions of Section 6.1 of By-law 3036, as amended, a maximum of 1 block, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned “MD-H9” prior to the division of those lands by registrations of a plan of subdivision;

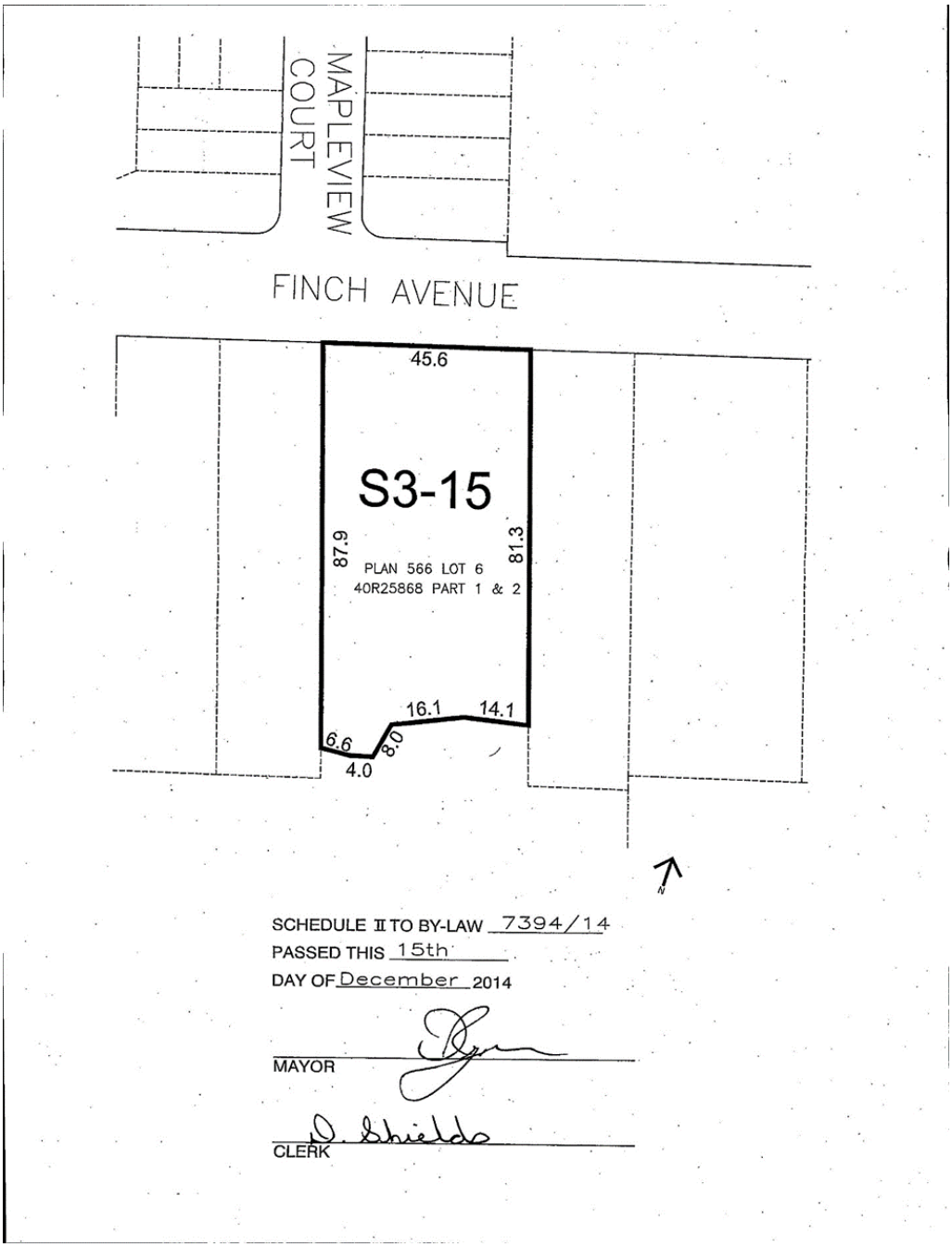
iii. Despite the provisions of Section 6.1 of By-law 3036, a maximum of 1 block, together with not fewer than two parking spaces per Model Home, may be constructed on the lands zoned “MD-H10” and “MD H11” prior to the division of those lands by registrations of a plan of subdivision;

iv. For the purpose of this By-law, “Model Home” shall mean a dwelling unit which is not used for residential purpose, but which is used exclusively for sales, display, and marketing purposes pursuant to an agreement with the City of Pickering.

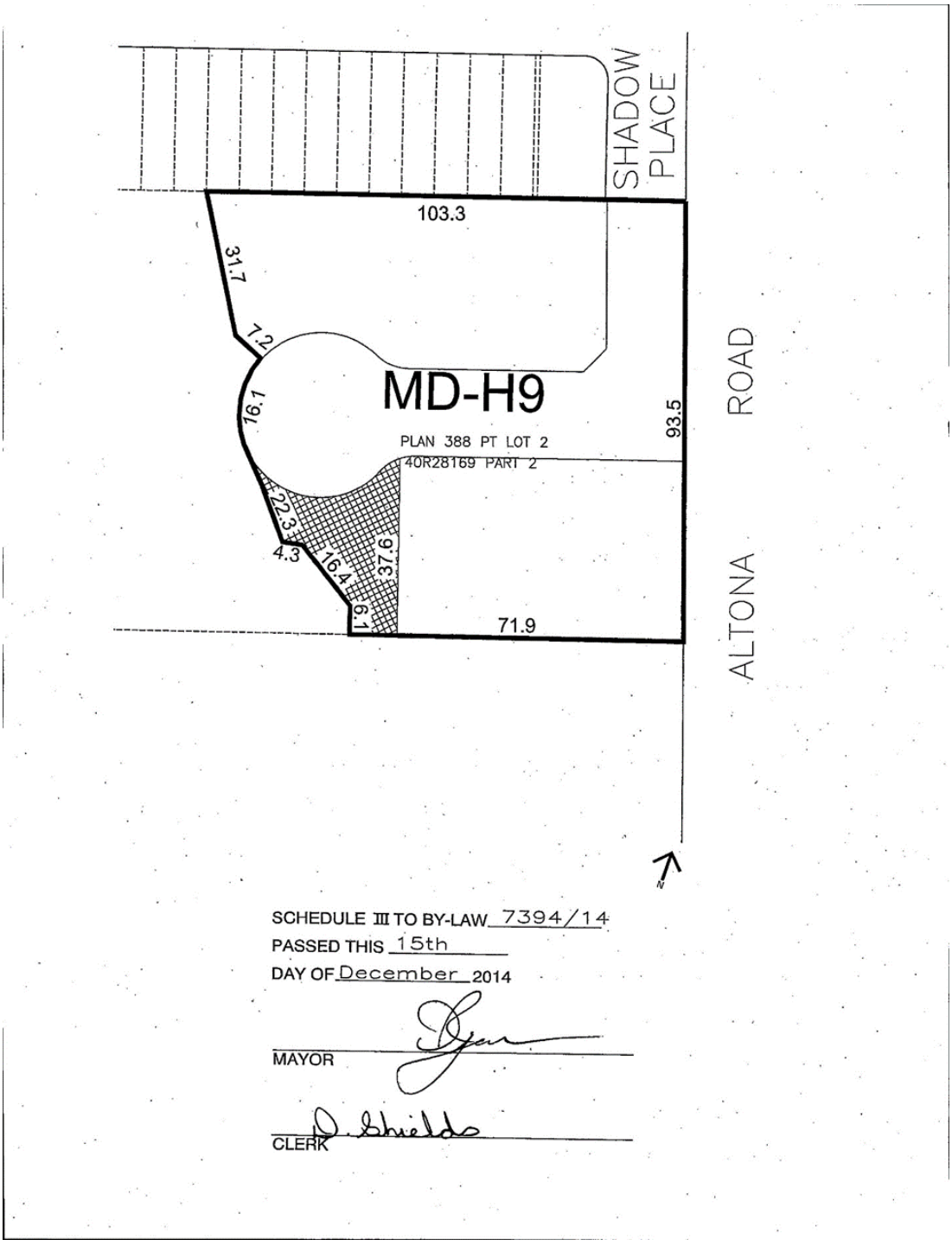
3. Figure 1



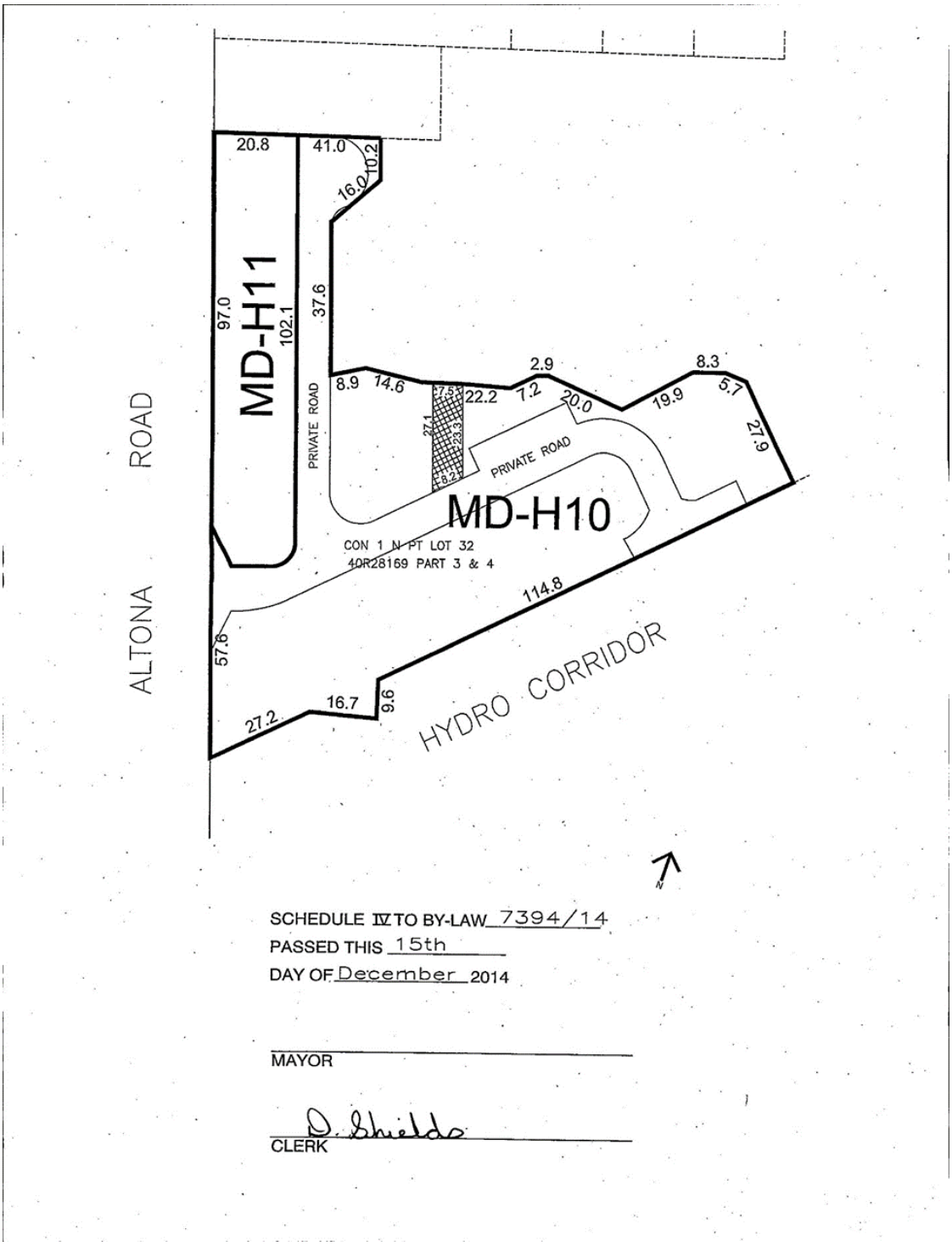
4. Figure 2


MAPLEVIEW COURT
FINCH AVENUE
45.6
S3-15
87.9
81.3
PLAN 566 LOT 6
40R25868 PART 1 & 2
16.1
14.1
6.6
8.0
4.0
N
SCHEDULE II TO BY-LAW 7394/14
PASSED THIS 15th
DAY OF December 2014
MAYOR
D. Shields
CLERK

5. Figure 3


SHADOW PLACE
103.3
31.7
7.2
16.1
MD-H9
PLAN 388 PT LOT 2
40R28169 PART 2
93.5
ROAD
ALTONA
22.3
4.3
16.4
37.6
6.1
71.9
SCHEDULE III TO BY-LAW 7394/14
PASSED THIS 15th
DAY OF December 2014
MAYOR
CLERK

6. Figure 4


ALTONA ROAD
MD-H11
MD-H10
PRIVATE ROAD
PRIVATE ROAD
CON 1 N PT LOT 32
40R28169 PART 3 & 4
HYDRO CORRIDOR
20.8
41.0
16.0
10.2
97.0
102.1
37.6
8.9
14.6
22.2
7.2
2.9
20.0
8.3
19.9
5.7
27.9
27.1
114.8
57.6
27.2
16.7
9.6
SCHEDULE IV TO BY-LAW 7394/14
PASSED THIS 15th
DAY OF December 2014
MAYOR
D. Shields
CLERK

15.184 Exception Zone 184 (By-law 4645-95, as amended by By-law 6637-06)

1. Definitions

   a) "Build-to-zone" shall mean an area of land in which all or part of a building elevation of one or more buildings is located;

   b) "Business Office" shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres, but shall not include a retail store;

   c) "Day Nursery" shall mean lands and premises duly licensed pursuant to the provisions of the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of children;

   d) "Dry Cleaning Depot" shall mean a building or part of a building used for the purpose of receiving articles, goods, or fabrics to be subjected to dry cleaning and related processes elsewhere, and of distributing articles, goods or fabrics which have been subjected to any such processes.

   e) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   f) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   g) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above and below grade;

   h) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   i) "Multiple Dwelling - Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

   j) "Multiple Dwelling - Quadruplex" shall mean a multiple dwelling containing only four dwelling units, each unit being connected to two or more other units, and generally arranged with two units adjacent to the front lot line and the other two units at the rear thereof;

k) "Multiple Dwelling - Vertical" shall mean a building containing four or more dwelling units attached horizontally and vertically, each unit having access from an internal corridor system connecting with at least one common entrance from outside the building;

l) "Dwelling Unit Width" shall mean the shortest horizontal dimension of a dwelling unit between the exterior of the side walls of the unit, except that where a side wall is a common wall, in which case the dimension shall be from the centre of that wall;

m) "Financial Institution" shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

n) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

o) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

p) "Floor Space Index" shall mean the ratio of the total aggregate floor areas of the specified use or uses established on a lot, to the total area of the lot;

q) "Landscaped Open Space" shall mean space on a lot which is open and unoccupied and is suitable for growing grass, flowers, bushes, shrubs or other landscaping plants and includes a waterway, walk, patio or similar space but does not include any portion of a parking aisle, parking space, ramp or driveway;

r) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

s) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

t) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

u) "Neighbourhood Park" shall mean a municipal public park;

v) "Parking Space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles;

w) “Personal Service Shop" shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon,

a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time-to-time, or any successor thereto;

x) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

y) "Professional Office" shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer, or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O, Chapter M.45, as amended from time to time, or any successor thereto;

z) "Retail Store" shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

aa) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

bb) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

cc) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

dd) "Front Yard Width" shall mean the shortest horizontal dimension of a front yard of a lot between the side lot lines, or between the side lot line and the flankage of the lot;

ee) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

ff) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

gg) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

hh) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

ii) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

jj) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

kk) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. Provisions ("RMM" Zone)

a) Uses Permitted ("RMM" Zone)

No person shall within the lands designated "RMM" use any lot or erect, alter or use any building or structure for any purpose except the following residential uses:

i. semi-detached dwelling

ii. multiple dwelling - horizontal

iii. multiple dwelling - quadruplex

iv. multiple dwelling – vertical

b) Zone Requirements ("RMM" Zone)

No person shall within the lands designated "RMM" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. semi-detached dwelling: 225 square metres

B. multiple dwelling - horizontal: 180 square metres

C. multiple dwelling - quadruplex: 180 square metres

D. multiple dwelling - vertical: 2,500 square metres

ii. LOT FRONTAGE (minimum):

A. semi-detached dwelling: 7.5 metres

B. multiple dwelling - horizontal: 6 metres

C. multiple dwelling - quadruplex: 24 metres for 4 units

D. multiple dwelling - vertical: 30 metres

iii. FRONT YARD DEPTH (minimum):

A. semi-detached dwelling: 4.5 metres

B. multiple dwelling - horizontal: 4.5 metres

C. multiple dwelling - quadruplex: 15 metres

D. multiple dwelling - vertical: 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. semi-detached dwelling and multiple dwelling - horizontal:

1.2 metres except that

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

3) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line;

I. a minimum 1.2-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is not provided on the other lot, or

II. a minimum 0.6-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

B. multiple dwelling - quadruplex: 2 metres except that

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where the side wall of the front unit directly abuts a parking space of the rear unit, no interior side yard shall be required for the front unit;

C. multiple dwelling - vertical: 3 metres

v. FLANKAGE SIDE YARD WIDTH (minimum):

A. dwellings having a flankage side yard abutting Altona Road or a reserve on the opposite side of which is Altona Road: 4.5 metres

B. dwellings having a flankage side yard abutting another street: 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. semi-detached dwelling: 7.5 metres

B. multiple dwelling - horizontal: 7.5 metres

C. multiple dwelling - quadruplex (front units): 0 metres

D. multiple dwelling - quadruplex (rear units): 4.5 metres

E. multiple dwelling - vertical: 6 metres

vii. LOT COVERAGE (maximum):

A. semi-detached dwelling: 40 per cent

B. multiple dwelling - horizontal: 40 per cent

C. multiple dwelling - quadruplex: 60 per cent

D. multiple dwelling - vertical: 40 per cent

viii. BUILDING HEIGHT (maximum):

A. semi-detached dwelling: 12 metres

B. multiple dwelling - horizontal: 12 metres

C. multiple dwelling - quadruplex: 12 metres

D. multiple dwelling - vertical: 15 metres

ix. DWELLING UNIT REQUIREMENTS:

A. semi-detached dwelling:

1) minimum gross floor area-residential of 100 square metres;

2) minimum unit width 6 metres;

3) maximum one dwelling unit per lot;

B. multiple dwelling - horizontal:

1) minimum gross floor area-residential of 100 square metres;

2) minimum unit width 6 metres;

3) maximum one dwelling unit per lot;

C. multiple dwelling - quadruplex:

1) minimum gross floor area-residential of 100 square metres;

2) minimum unit width 6 metres;

3) maximum one dwelling unit per lot;

D. multiple dwelling - vertical:

1) a minimum gross floor area-residential of 50 square metres per dwelling unit;

2) minimum unit width 6 metres;

3) not more than 20 dwelling units per lot shall be permitted;

x. PARKING REQUIREMENTS:

A. semi-detached dwelling:

there shall be provided and maintained on the lot a minimum of one private garage per dwelling unit attached to the main building and located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

B. multiple dwelling - horizontal:

there shall be provided and maintained on the lot a minimum of one private garage per dwelling unit attached to the main building and located not less than 6 metres from the front lot line and not less than 6 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

C. multiple dwelling - quadruplex: either

1) there shall be provided and maintained on the lot two parking spaces per dwelling unit located in the front yard of the lot in a tandem arrangement, such arrangement having a maximum width of 2.7 metres and a maximum length of 12 metres; or

2) there shall be provided and maintained on the lot one single private garage attached to the dwelling unit of that same lot and located not less than 10.6 metres from the front lot line, in which case the minimum front yard depth requirement of section 2(b)(iii)(C) shall not apply;

D. multiple dwelling - vertical:

1) there shall be provided and maintained a minimum of 1.2 parking spaces per dwelling unit for residents, and 0.3 of a parking space per dwelling unit for visitors;

2) the maximum height of any parking structure shall be 8 metres;

3) any parking structure or part thereof which is below grade shall comply with the provisions of (iii), (iv), (v), and (vi) of this subsection.

xi. SPECIAL REGULATIONS:

A. semi-detached dwelling:

1) the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres;

2) despite the definition of "Dwelling, Semi-Detached or Semi Detached Dwelling" in Section 1(g), semi-detached dwellings erected in an "RMM" zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 per cent of the horizontal depth of the building.

B. multiple dwelling - quadruplex:

1) no freestanding accessory structures shall be permitted;

2) all portions of the front yard not used for parking as required by this By-law shall be maintained as landscaped open space;

3) there shall be a minimum front yard width of 2 metres;

xii. LANDSCAPED OPEN SPACE REQUIREMENT (minimum):

A. multiple dwelling - vertical:

landscaped open space shall be not less than 10 per cent of lot area.

3. Provisions (“RM/MU” Zone)

a) Uses Permitted ("RM/MU" Zone)

No person shall within the lands designated "RM/MU" use any lot or erect, alter or use any building or structure for any purpose except the following uses:

i. business office

ii. day nursery

iii. dry cleaning depot

iv. financial institution

v. multiple dwelling - horizontal

vi. multiple dwelling - vertical

vii. personal service shop

viii. professional office

ix. retail store

b) Zone Requirements ("RM/MU" Zone)

No person shall within the lands designated "RM/MU" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 5,000 square metres

ii. LOT FRONTAGE (minimum): 50 metres

iii. INTERIOR SIDE YARD WIDTH (minimum):

multiple dwelling - horizontal use: 1.2 metres
except that

A. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

B. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

C. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line;

1) a minimum 1.2-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is not provided on the other lot, or

2) a minimum 0.6-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

iv. LOT COVERAGE (maximum): 40 percent

v. BUILDING HEIGHT (maximum): 20 metres

(minimum): 8 metres

vi. BUILDING SETBACKS:

A. Despite section 5.22(4) of By-law 3036 and section 3(b)(iii) of this By-law, no building, part of a building, or structure shall be erected outside the building envelope shown on Figure 1 attached hereto;

B. No building or structure shall be erected on the lands unless a minimum of 50% of the building elevation of the side of that building or structure adjacent to Altona Road is located within the build-to-zone shown on Figure 1 attached hereto;

C. For the purpose of determining the percentage of building elevation to be located within any build-to-zone, the 'building elevation' shall mean the linear distance measured between lines drawn perpendicularly to the build-to-zone at each end of a building elevation of a building or structure;

vii. DWELLING UNIT REQUIREMENTS:

A. multiple dwelling - horizontal:

1) a minimum gross floor area-residential of 100 square metres per dwelling unit;

2) minimum unit width 6 metres;

3) maximum one dwelling unit per lot;

B. multiple dwelling - vertical:

1) a minimum gross floor area-residential of 50 square metres per dwelling unit;

2) minimum unit width 6 metres;

3) not less than 12 and not more than 95 dwelling units shall be permitted;

viii. PARKING REQUIREMENTS (minimum):

A. multiple dwelling - horizontal:

there shall be provided and maintained on the lot one private garage per dwelling unit attached to the main building and located not less than 6.0 metres from the front lot line or not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

1) visitor parking (minimum): 0.3 space per dwelling unit

B. multiple dwelling - vertical:

1) there shall be provided and maintained a minimum of 1.2 parking spaces per dwelling unit for residents, and 0.3 of a parking space per dwelling unit for visitors;

2) the maximum height of any parking structure shall be 8 metres;

C. There shall be provided and maintained on the lot a minimum of 4.5 parking spaces per 100 square metres of gross floor area for all permitted uses listed in Section 3(a) of this By-law, except for multiple dwelling - vertical, multiple dwelling - horizontal, and day nursery uses;

D. For day nursery uses there shall be provided and maintained a minimum of 5.0 parking spaces per 100 square metres activity room floor area;

E. Section 5.21.2(b) of By-law 3036, as amended, shall not apply to lands designated "RH/MU";

F. All parking areas not located within a parking structure shall be set back a minimum of 3 metres from all lot lines, except where a lot line separates the "RM/MU" zone from an "OS-SWM" zone, in which case the parking setback may be reduced to 1.5 metres;

G. Despite Section 5.21.2(g) of By-law 3036, as amended, all parking areas shall be paved;

ix. SPECIAL REGULATION: the aggregate gross floor area of all commercial uses shall not exceed 1,400 square metres

x. LANDSCAPED OPEN SPACE REQUIREMENT (minimum): 10 per cent of lot area

xi. FLOOR SPACE INDEX: maximum floor space index of 2 for all uses established on the lot

c) Zone Requirements (“RM/MU” Zone)

Despite Section 3(b)(iii) of this Exception, no person shall within the lands designated “RM/MU” use any lot or erect, alter or use any building for multiple dwelling – horizontal use that fronts onto a private road, except in accordance with the following provisions:

i. Lot Area (minimum): 140 square metres

ii. Lot Frontage (minimum): 6.0 metres

iii. Front Yard Depth (minimum): 6.0 metres

iv. Rear Yard Depth (minimum): 4.0 metres

v. Interior Side Yard Width (minimum): 0.6 metres except that

A. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

B. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

C. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line;

1) a minimum 1.2-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is not provided on the other lot, or

2) a minimum 0.6-metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

vi. Lot Coverage (maximum): 53 percent

vii. Building Height (maximum): 12 metres

viii. Building Setbacks:

A. Despite Section 5.22(4) of By-law 3036 and Clause 3(b)(iii) of this By-law, no building, part of a building, or structure shall be erected outside the building envelope shown on Figure 1 attached hereto, except for steps, uncovered platforms, or landscaping features not exceeding 1.5 metres in height;

B. No building or structure shall be erected on the lands unless a minimum of 50% of the building elevation of the side of that building or structure adjacent to Altona Road is located within the build-to-zone shown on Figure 1 attached hereto;

C. For the purpose of determining the percentage of building elevation to be located within any build-to-zone, the 'building elevation' shall mean the linear distance measured between lines drawn perpendicularly to the build-to-zone at each end of a building elevation of a building or structure;

ix. Dwelling Unit Requirements:

A. A minimum gross floor area - residential of 100 square metres per dwelling unit;

B. Maximum one dwelling unit per lot;

x. Parking:

A. There shall be provided and maintained on the lot one private garage per dwelling unit attached to the main building and located not less than 6.0 metres from the front lot line or not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

B. Despite Paragraph 3(b)(viii)A(1) of this By-law, 0.25 visitor parking space shall be provided per dwelling unit;

C. Section 5.21.2(b) of By-law 3036, as amended shall not apply;

D. All visitor parking areas not located within a parking structure shall be set back a minimum of 3.0 metres from all lot lines, except where a lot line separates the "RM/MU" zone from a "OS-SWM" zone, in which case the parking setback may be reduced to 1.5 metres;

E. Despite Section 5.21.2(g) of By-law 3036, as amended, all parking areas shall be paved;

xi. Accessory Structure: In addition to Section 5.18 of By-law 3036, no accessory structure is allowed in the built-to-zone shown on Figure 1 attached hereto;

xii. Separation Distance: The horizontal distance between blocks of multiple dwelling – horizontal shall be a minimum of 3.0 metres;

xiii. Despite Section 5.6 of Bylaw 3036 and Clause 1(r) of this By-law, the requirement for frontage on a public street shall be satisfied by establishing frontage on a common elements condominium street.

4. PROVISIONS ("NP" Zone)

a) Uses Permitted ("NP" Zone)

No person shall within the lands designated "NP" use any lot or erect, alter or use any building or structure for any purpose except for a neighbourhood park and uses accessory thereto.

b) Zone Requirements ("NP" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are to be used for the purposes of a neighbourhood park.

5. PROVISIONS ("OS-SWM" Zone)

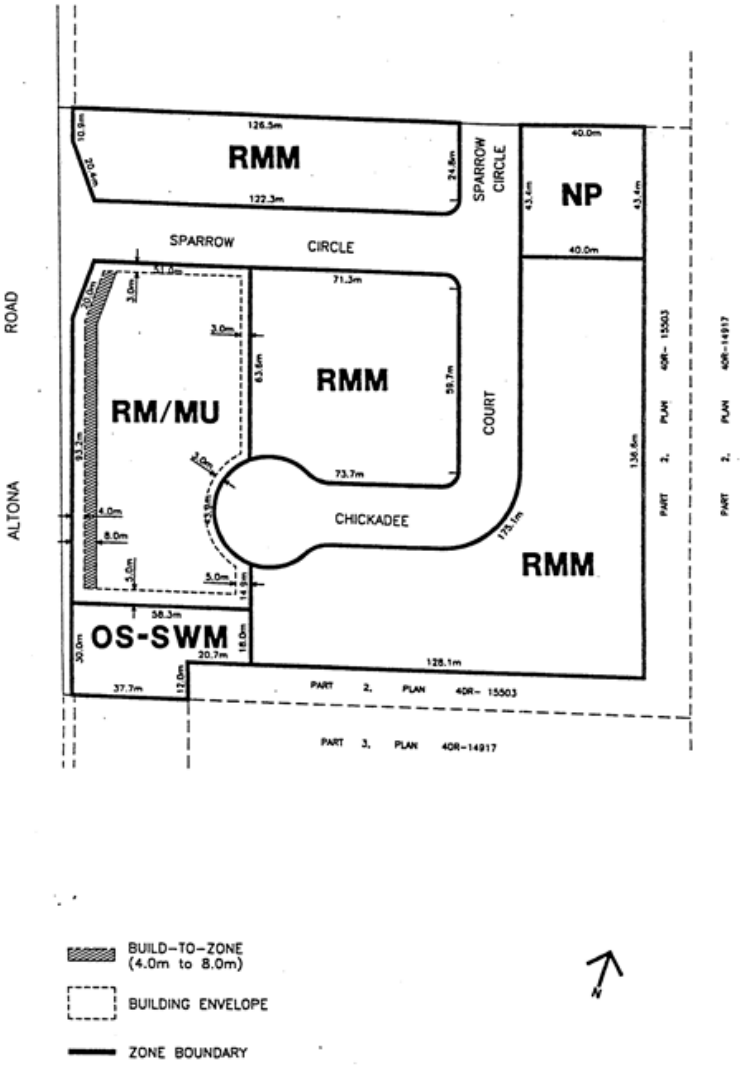
a) Uses Permitted ("OS-SWM" Zone)

No person shall within the lands designated "OS-SWM" use any land for any purpose, or erect, alter or use any building or structure for any purpose except for stormwater management facilities and uses accessory thereto.

b) Zone Requirements ("OS-SWM" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are to be used for the purposes of stormwater management facilities and uses accessory thereto.

6. Figure 1



SCHEDULE I TO BY-LAW 4645/95
AS MADE BY
ONTARIO MUNICIPAL BOARD
ORDER DATED 15th day of September, 1994
(O.M.B. FILE No. Z940046)

15.185 Exception Zone 185 (By-law 5892-01, as amended by 6638-06)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent, and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate, and detached from other main buildings or structures;

   e) "Multiple Dwelling-Horizontal" shall mean a building containing three or more dwelling units attached horizontally, not vertically by an above grade wall or walls;

   f) "Multiple Dwelling-Vertical" shall mean a building containing three or more dwelling units attached vertically, by an above grade wall or walls, or an above grade floor or floors, or both;

   g) "Dwelling, Semi-Detached or Semi-Detached Dwelling" shall mean one of a pair of single dwellings, such dwellings being attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 6 metres;

   h) "Dwelling, Single Attached" shall mean one group of not less than three single adjacent units, attached together horizontally by an above grade common wall;

   i) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   j) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic, or a cellar;

   k) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

l) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

m) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

n) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

o) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

p) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

q) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

u) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

v) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

w) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot;

x) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("SD-7" Zone)

No person shall within the lands designated "SD-7", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. semi-detached dwelling;

b) Zone Requirements ("SD-7" Zone)

c) No person shall within the lands designated "SD-7", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 205 square metres;

ii. LOT FRONTAGE (minimum): 7.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, or a direct extension thereof, shall be set back from the lot line separating such lots as follows;

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 50 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any

side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

d) Uses Permitted ("S5" Zone)

No person shall within the lands designated "S5", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling;

e) Zone Requirements ("S5" Zone)

No person shall within the lands designated "S5", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres;

ii. LOT FRONTAGE (minimum): 9.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. SIDE YARD WIDTH (minimum): 1.2 metres one side, 0.6 metres on the other, or no minimum on one side so long as, on the other side:

A. at least 1.2 metre interior side yard width is provided to the nearest wall of a private garage, and;

B. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 38 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any

side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres;

f) Uses Permitted ("SA-8" Zone)

No person shall within the lands designated "SA-8", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. single attached dwelling;

g) Zone Requirements ("SA-8" Zone)

No person shall within the lands designated "SA-8", use any lot or erect, alter, or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 180 square metres;

ii. LOT FRONTAGE (minimum): 6.0 metres;

iii. FRONT YARD DEPTH (minimum):

A. 4.5 metres;

B. Despite A above, on the lands cross hatched on Figure 1 the minimum front yard depth shall be 3.0 metres;

iv. SIDE YARD WIDTH (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be setback from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot; or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum):

A. 7.5 metres;

B. Despite A above, on the lands cross-hatched on Figure 1 the minimum rear yard depth shall be 5.0 metres;

vii. LOT COVERAGE (maximum): 50 percent;

viii. BUILDING HEIGHT (maximum): 12.0 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6 metres from the front lot line, and not less than 6 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

B. maximum projection of the garage front entrance from the wall containing the main entrance to the dwelling unit shall not exceed 2.5 metres in length, whether or not such garage has a second storey, except where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, in which case no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit.

h) Uses Permitted ("RM2-1" Zone)

No person shall within the lands designated "RM2-1", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. detached dwelling;

ii. semi-detached dwelling;

iii. single attached dwelling;

iv. multiple dwelling-horizontal;

v. multiple dwelling-vertical;

i) Zone Requirements ("RM2-1" Zone)

No person shall within the lands designated "RM2-1", use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. YARD SETBACKS (minimum):

A. for semi-detached dwelling residential and single attached dwelling residential uses:

1) in accordance with the building envelopes as set-out on Figure 1 attached hereto;

B. for detached dwelling residential, multiple dwelling-horizontal or multiple dwelling-vertical uses:

1) 4.5 metres from any lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

2) 7.5 metres from any zone line;

ii. BUILDING HEIGHT (maximum): 12.0 metres;

iii. DWELLING UNIT REQUIREMENTS: minimum gross floor area of 56 square metres;

iv. LOT COVERAGE (maximum): 40 percent;

v. PARKING REQUIREMENTS:

A. for each dwelling unit within a multiple dwelling horizontal or multiple-dwelling vertical there shall be provided and maintained on the lot:

1) a minimum of 1.5 resident parking spaces; and,

2) a minimum of 0.3 visitor parking spaces;

vi. SPECIAL REGULATIONS:

A. the horizontal distance between semi-detached dwellings, multiple dwellings-horizontal and/or single attached dwellings shall be a minimum of 1.8 metres, except where such dwellings are attached in whole or in part;

B. the interior side yard between abutting semi-detached dwellings and/or single attached dwellings shall be a minimum of 0.9 metres;

C. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

j) Uses Permitted ("RM2-2" Zone)

No person shall within the lands designated "RM2-2", use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. multiple dwelling-horizontal;

k) Zone Requirements ("RM2-2" Zone)

i. BUILDING LOCATION AND SETBACKS:

A. Buildings and structures shall be located entirely within the building envelope illustrated on Figure 1 attached hereto;

ii. BUILDING HEIGHT (maximum): 12.0 metres;

iii. DWELLING UNIT REQUIREMENTS:

minimum gross floor area residential of 100 square metres;

iv. LOT COVERAGE (maximum): 50 percent;

v. PARKING REQUIREMENTS:

A. For each dwelling unit there shall be provided on the lands:

1) one private garage attached to the dwelling unit;

2) one parking space located between the vehicular entrance of the private garage and the nearest traffic aisle; and

3) a minimum of 0.3 visitor parking spaces;

B. sections 5.21.2(a), 5.21.2(b), 5.21.2(d), 5.21.2(e), 5.21.2(i) of By-law 3036 shall not apply to the lands designated "RM2-2";

C. notwithstanding section 5.21.2(g) and 5.21.2(k) of By-law 3036 all entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof.

l) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. preservation and conservation of the natural environment, soil and wildlife;

ii. resource management;

iii. pedestrian trails and walkways;

m) Zone Requirements ("OS-HL" Zone)

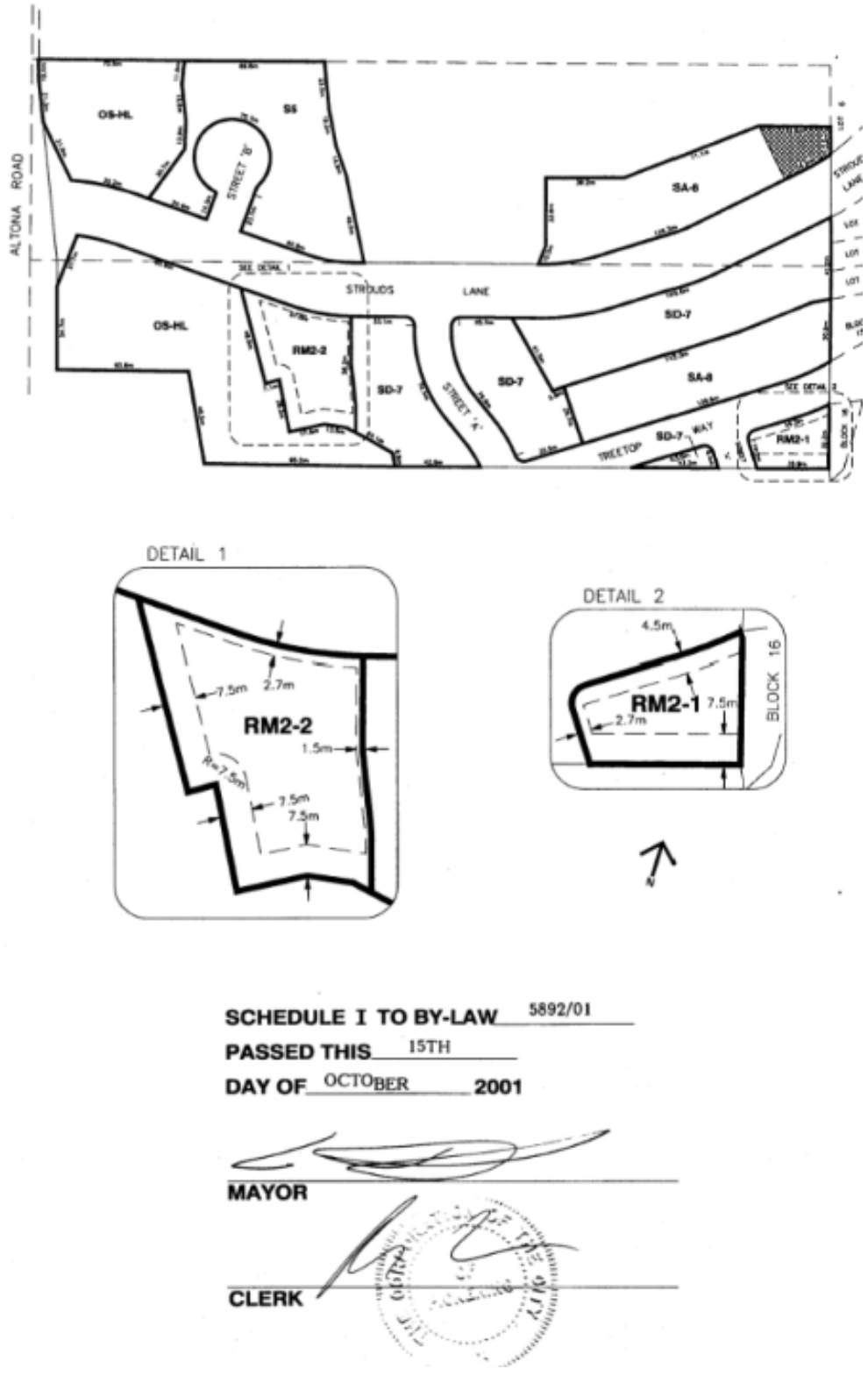
No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control, resource management, or pedestrian trail and walkway purposes.

3. Model Homes

Despite the provisions of clause 6.1 of By-law 3036, a maximum of 6 Model Homes, together with not fewer than two parking spaces per Model Home, may be constructed on the lands subject to this exception prior to division of those lands by registration of a plan of subdivision or condominium.

For the purposes of this By-law, "Model Home" shall mean a dwelling unit used exclusively for sales display and for marketing purposes pursuant to an agreement with the City of Pickering, and not used for residential purposes.

4. Figure 1



SCHEDULE I TO BY-LAW 5892/01
PASSED THIS 15TH
DAY OF OCTOBER 2001

MAYOR

CLERK

15.186 Exception Zone 186 (By-law 5928-01)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory hereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling, which is freestanding, separate and detached from other main buildings or structures.

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar.

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line.

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("R4-19" and "S3-7" Zones)

No person shall within the lands designated "R4-19" or "S3-7" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("R4-19" and "S3-7" Zones)

No person shall within the lands designated "R4-19" or "S3-7" use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated "R4-19": 460 square metres

B. on lands designated "S3-7": 350 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated "R4-19": 15.0 metres

B. on lands designated "S3-7": 12.0 metres

iii. FRONT YARD DEPTH (minimum):

A. for lots fronting on Fairport Road: 6.0 metres

B. for all other lots: 4.5 metres

C. despite clauses A and B above, a single storey covered and unenclosed porch or veranda with no habitable space above, may project a maximum of 1.5 metres into a required front yard.

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. on lands designated "R4-19": 1.5 metres

B. on lands designated "S3-7": 1.2 metres on one side and 0.6 metres on the other side

C. despite clauses A and B above, where a detached garage is located in the rear yard, the minimum interior side yard widths shall be 3.0 metres on one side and 0.0 metres on the other side.

v. FLANKAGE SIDE YARD WIDTH (minimum): 4.5 metres

vi. REARYARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum):

38 percent for all buildings and structures on a lot.

viii. BUILDING HEIGHT (maximum): 9.0 metres

ix. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING AND PRIVATE GARAGE REQUIREMENTS:

A. minimum one private garage per lot; any vehicular entrance of which shall be located not less than 6 metres from the front lot line

and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

B. line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

C. on lands designated "R4-19" and "S3-7", no part of any attached private garage shall extend more than 2.0 metres beyond the wall containing the main entrance to the dwelling unit.

15.187 Exception Zone 187 (By-law 5929-01)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling. Single or Single Dwelling" shall mean a single dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling. Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street abutting a reserve on the opposite side of which is a street;

s) Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting a reserve, the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S3-11")

No person shall, within the lands zoned "S3-11", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use.

b) Zone Requirements ("S3-11")

No person shall, within the lands zoned "S3-11", use any lot or erect, alter or use any building or structure for any purpose except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres;

ii. LOT FRONTAGE (minimum):

A. 12.0 metres;

B. despite clause A above, for any lot within lands cross-hatched on Figure 1 attached hereto, a minimum lot frontage of 7.0 metres may be provided;

iii. FRONT YARD DEPTH (minimum):

A. 4.5 metres;

B. despite clause A above, a covered and unenclosed porch or verandah may project up to 2.0 metres into the required minimum front yard;

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres each side; or

B. 1.8 metres one side and no minimum other side;

C. despite clauses A and B above, for any lot within lands cross-hatched on Figure 1 attached hereto where the "OS-HL" Zone abuts a side lot line, the minimum side yard width shall be 2.0 metres;

D. despite clauses A and B above, for any lot within lands cross-hatched on Figure 1 attached hereto and abutting the east limit of the "S3-11" Zone, the minimum east side yard width shall be 3.5 metres;

v. REAR YARD DEPTH (minimum):

A. 7.5 metres;

B. despite clause A above, for any lot within lands cross-hatched on Figure 1 attached hereto, and a portion of which contain an "OS-HL" Zone, the minimum rear yard depth shall be 17.5 metres;

C. despite clause A above, for any lot within lands cross-hatched on Figure 1 attached hereto that do not contain an "OS-HL" Zone, the minimum rear yard depth shall be 4.5 metres;

vi. LOT COVERAGE (maximum): 38 percent;

vii. BUILDING HEIGHT (maximum): 9.0 metres;

viii. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

ix. PARKING REQUIREMENTS:

A. minimum one private garage per lot attached to the main building any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street;

B. despite clause A above and sections 5.18(a) and 5.18(b) of Zoning By-law 3036, as amended, for those lands cross-hatched on Figure 1 attached hereto that do not contain an "OS-HL" Zone, one private garage must be provided, but may be detached from the main building, and located in a side yard no less than 1.0 metre from any side lot line;

C. no part of any attached garage shall extend beyond the wall containing the main entrance to the dwelling unit;

x. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres;

B. notwithstanding clause 5.7(b) of By-law 3036, as amended, uncovered steps and platforms exceeding 1.0 metre in height above grade may project a maximum of 2.5 metres into the required rear yard of each lot provided no part thereof shall exceed 2.5 metres in depth and 6.0 metres in width.

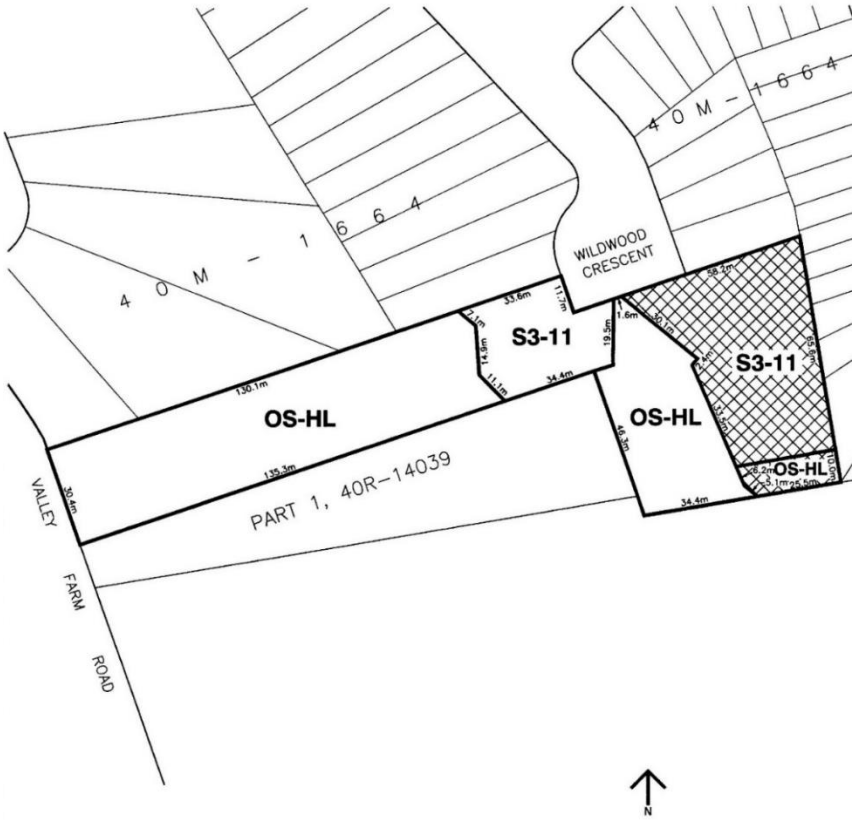
c) Uses Permitted ("OS-HL" Zone)

No person shall, within the lands zoned "OS-HL", use any land for any purpose except the preservation and conservation of the natural environment, soil, and wildlife;

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

3. Figure 1



SCHEDULE I TO BY-LAW 5929/01
PASSED THIS 17th
DAY OF December 2001

MAYOR

CLERK (Deputy)

15.188 Exception Zone 188 (By-law 5940-02)

1. Definitions

   a) “Adult Entertainment Parlour” shall mean any premises or part thereof in which is provided, in pursuance of a trade, calling, business or occupation, services appealing to or designed to appeal to erotic or sexual appetites or inclinations;

   b) “Bakery” shall mean a building or part of a building in which food products are baked, prepared and offered for retail sale, or in which food products baked and prepared elsewhere are offered for retail sale;

   c) “Business Office” shall mean any building or part of a building in which one or more persons are employed in the management, direction or conducting of an agency, business, brokerage, labour or fraternal organization and shall include a telegraph office, newspaper plant and a radio or television broadcasting station and its studios or theatres, but shall not include a retail store;

   d) “Club” shall mean a building or part of a building in which a not-for-profit or non-commercial organization carries out social, cultural, welfare, athletic or recreational programs for the benefit of the community;

   e) “Commercial Club” shall mean an athletic or recreational club operated for gain or profit and having public or private membership, but shall not include an adult entertainment parlour as defined herein;

   f) “Commercial-Recreational Establishment” shall mean a commercial establishment in which indoor recreational facilities are provided, and which may include an athletic or recreational club, but shall not include any uses permissible within a place of amusement or entertainment as defined herein;

   g) “Commercial School” shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, an art school, a golf school or any other school operated for gain or profit;

   h) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessities are kept for retail sale primarily to residents of, or persons employed in, the immediate neighbourhood;

   i) “Dry Cleaning Establishment” shall mean a building or part of a building where articles, goods or fabric are subjected to dry cleaning and related processes, are received or distributed, or where a dry cleaning plant is operated, or both, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

j) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

k) “Food Preparation Plant” shall mean a building or part of a building in which processed food products are cooked, baked, mixed, packaged or otherwise prepared for distribution to retail or institutional outlets;

l) “Gross Leasable Floor Area” shall mean the aggregate of all storeys above or below established grade, designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

m) “Light Machinery and Equipment Supplier” shall mean a building or a part of a building in which office furniture and machines, carpet and drapery cleaning equipment, painting, gardening and plumbing equipment, small hand power tools and similar products are stored, offered or kept for wholesale or retail sale to industrial or commercial establishments;

n) “Light Manufacturing Plant” shall mean a manufacturing plant used for: the production of apparel and finished textile products other than the production of synthetic fibers; printing or duplicating; the manufacture of finished paper other than the processing of wood pulp; the production of cosmetics, drugs and other pharmaceutical supplies; or, the manufacture of finished lumber products, light metal products, electronic products, plasticware, porcelain, earthenware, glassware or similar articles, including but not necessarily restricted to, furniture, housewares, toys, musical instruments, jewellery, watches, precision instruments, radios and electronic components;

o) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

p) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

q) “Manufacturing Plant” shall mean a building or part of a building in which is carried on any activity or operation pertaining to the making of any article, and which shall include altering, assembling, repairing, ornamenting, finishing, cleaning, polishing, washing, packing, adapting for sale, breaking up or demolishing the said article;

r) “Merchandise Service Shop” shall mean an establishment where articles or goods including, but not necessarily limited to, business machines, appliances, furniture or similar items are repaired or serviced, and includes the regular place of business of a master electrician or master plumber, but

shall not include a manufacturing plant or any establishment used for the service or repair of vehicles or a retail store;

s) “Office-Associated Commercial Establishment” shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;

t) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224(9)(b) of the Municipal Act, R.S.O. 1990, as amended from time-to-time, or any successor thereto;

u) “Place of Amusement or Entertainment” shall mean a building or part of a building in which facilities are provided for amusement or entertainment purposes, and which may include a billiard or pool room, a dance hall, a music hall or a theatre, but shall not include a room or an area used for any video lottery terminal use as governed by the Gaming Services Act, an adult entertainment parlour as defined herein or a body rub parlour as defined in the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time to time, or any successor thereto;

v) “Place of Assembly” shall mean a building or part of a building in which facilities are provided for civic, educational, political, recreational, religious or social meeting purposes and may include facilities for entertainment purposes such as musical and theatrical performances, but shall not include a place of amusement or entertainment as defined herein;

w) “Place of Religious Assembly” shall mean lands or premises where people assemble for worship, counseling, educational, contemplative or other purposes of a religious nature, which may include social, recreational, and charitable activities, and offices for the administration thereof;

x) “Printing Establishment” shall mean an establishment used for blueprinting, engraving, electro-typing, photocopying, plotting from disk, printing, stereotyping or typesetting;

y) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined by the Municipal Act, R.S.O. 1990, c.M. 45, as amended from time to time, or any successor thereto;

z) “Restaurant – Type A” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for

immediate consumption on the premises or off the premises, or both on and off the premises;

aa) “Rental Establishment” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are offered or kept for offer for rent directly to the public, but does not include the rental of motor vehicles, and does not include a video store;

bb) “Sales Outlet” shall mean a building or part of a building accessory to a bakery, a food preparation plant, a light manufacturing plant, a manufacturing plant, a merchandise service shop, a printing establishment, or a warehouse, wherein products manufactured, produced, processed, stored, serviced or repaired on the premises are kept or displayed for rent or for wholesale or retail sale, or wherein orders are taken for future delivery of such products;

cc) “Scientific, Medical or Research Laboratory” shall mean a building or part of a building wherein scientific, research or medical experiments or investigations are systematically conducted, or where drugs, chemicals, glassware or other substances or articles pertinent to such experiments or investigations may be manufactured or otherwise prepared for use on the premises;

dd) “Vehicle Repair Shop” shall mean an establishment containing facilities for the repair and maintenance of vehicles on the premises, in which vehicle accessories are sold and vehicle maintenance and repair operations are performed, but shall not include a body shop or any establishment engaged in the retail sale of motor vehicle fuels;

ee) “Vehicle Sales or Rental Establishment” shall mean an establishment used for the sale, service, rent or lease of vehicles and which may include as an accessory use thereto a vehicle repair shop, but shall not include any establishment engaged in the retail sale of motor vehicle fuels;

ff) “Video Store” shall mean a building or part of a building in which video cassette recorders, tapes, and accessories thereto are stored, serviced, displayed, and offered for rent or retail sale to the public for use off the premises only;

gg) “Warehouse” shall mean a building or part of a building which is used primarily for the housing, storage, adapting for sale, packaging, or wholesale distribution of goods, wares, merchandise, food-stuffs, substances, articles or things, and includes the premises of a warehouseman but shall not include a fuel storage tank except as an accessory use;

hh) “Waste Transfer and Management Facility” shall mean a building or part of a building which is used primarily for the storage, handling or processing of household, institutional, commercial or industrial waste;

ii) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered, and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

jj) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

kk) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

ll) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

mm) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

nn) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard, and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

oo) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

pp) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

qq) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street, and the nearest wall of the nearest main building or structure on the lot; and

rr) “Interior Side Yard” shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted (“MC - 15” Zone)

No person shall within the lands designated “MC–15”, use any lot or erect, alter, or use any building or structure for any purpose except the following:

i. bakery;

ii. business office;

iii. club;

iv. commercial club;

v. commercial-recreational establishment;

vi. commercial school;

vii. convenience store;

viii. dry cleaning establishment;

ix. financial institution;

x. food preparation plant;

xi. light machinery and equipment supplier;

xii. light manufacturing plant;

xiii. merchandise service shop;

xiv. office-associated commercial establishment;

xv. personal service shop;

xvi. place of amusement or entertainment;

xvii. place of assembly;

xviii. place of religious assembly;

xix. printing establishment;

xx. professional office;

xxi. restaurant – Type A;

xxii. rental establishment;

xxiii. sales outlet;

xxiv. scientific, medical or research laboratory;

xxv. warehouse.

b) Zone Requirements (“MC - 15” Zone)

No person shall within the lands designated “MC - 15”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. OUTDOOR STORAGE:

All permanent uses, other than parking, shall take place entirely within enclosed buildings or structures with no outside storage or display;

ii. FRONT YARD DEPTH (minimum): 6.0 metres

iii. INTERIOR SIDE YARD WIDTH (minimum): 4.5 metres

iv. FLANKAGE SIDE YARD WIDTH (minimum): 3.0 metres

v. REAR YARD DEPTH (minimum): 12.0 metres

vi. BUILDING HEIGHT (maximum): 12.0 metres

vii. PARKING:

A. There shall be provided and maintained on the lands designated “MC-15”, parking at a ratio of:

1) 5.5 spaces per 100 square metres gross leasable area for the first 500 square metres; plus,

2) 3.5 spaces per 100 square metres gross leasable area for all floor space in excess of 500 square metres;

B. Clauses 5.21.2 (a), (b), (c), (e) and (f), inclusive, of By-law 3036, as amended, shall not apply to the lands designated “MC – 15”;

C. Despite clauses 5.21.2g) and 5.21.2k) of By-law 3036, as amended, all entrances and exits to parking areas and all parking areas shall be surfaced with brick, asphalt, or concrete, or any combination thereof.

viii. LOADING:

A. shall only be located in the side yard;

B. Despite (A) above, loading may be located in the rear yard provided it is screened from public view and from abutting residential land uses through architectural screening, landscape buffering, berming or a combination of these treatments.

ix. REAR YARD LANDSCAPED OPEN AREA:

A minimum 3 metre landscaped open area shall be provided along the rear lot line to screen parking, loading and buildings through architectural screening, landscape buffering, berming or a combination of these treatments, from the view of abutting residential uses.

x. SPECIAL REGULATIONS:

A. Despite any other provision in this By-law, lawful uses existing on the lands designated “MC-15” on the date of passing of this By-law, shall be deemed to comply with the provisions of By-law 3036, as amended. Any alterations, additions, or new development on the lands shall comply with all the provisions set out in this By-law;

B. Despite any other provision in this By-law, a waste transfer and management facility shall not be permitted on lands designated “MC–15”;

C. A sales outlet, accessory to a permitted bakery, food preparation plant, light manufacturing plant, manufacturing plant, merchandise service shop, printing establishment or warehouse, shall only be permitted provided the gross leasable area of the sales outlet does not exceed 25% of the gross leasable floor area of the related industrial operation;

D. Despite Clause (C) above, a sales outlet may exceed 25% up to a maximum of 40% of the gross leasable floor area of the related industrial operation, provided the aggregate gross leasable floor area of all sales outlets in a building does not exceed 25% of the total gross leasable floor area in that building;

E. The maximum gross leasable floor area for any convenience store, office-associated commercial establishment, financial institution, personal service shop, and restaurant – Type A shall be 325 square metres;

F. The maximum aggregate gross leasable floor area shall be:

1) for all convenience stores on the lot: 325 square metres

2) for all office-associated commercial establishments on the lot: 325 square metres

3) for all financial institutions on the lot: 325 square metres

4) for all personal service shops on the lot: 325 square metres

5) for all restaurants – Type A on the lot: 325 square metres

15.189 Exception Zone 189 (By-law 5983-02)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   d) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   e) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   h) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   i) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   j) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   k) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

l) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot and the nearest wall of the nearest main building or structure on the lot;

m) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

r) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

s) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S4-3" Zone)

No person shall within the lands designated "S4-3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use;

b) Zone Requirements ("S4-3" Zone)

No person shall within the lands designated "S4-3" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres;

ii. LOT FRONTAGE (minimum): 9.0 metres;

iii. FRONT YARD DEPTH (minimum): 4.5 metres;

iv. INTERIOR SIDE YARD WIDTH:

A. 1.2 metres one side;

B. 0.6 metres the other side;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres;

vi. REAR YARD DEPTH (minimum): 7.5 metres;

vii. LOT COVERAGE (maximum): 48 percent;

viii. BUILDING HEIGHT (maximum): 12 metres;

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area residential of 100 square metres;

x. PARKING REQUIREMENTS:

A. minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

B. no part of any attached private garage shall extend more than 2.5 metres beyond the wall containing the main entrance to the dwelling unit, except

1) where a covered and unenclosed porch or verandah extends a minimum of 1.8 metres from the wall containing the main entrance to the dwelling unit, no part of any attached private garage shall extend more than 3.0 metres beyond the wall containing the main entrance to the dwelling unit; or

2) where a covered and unenclosed porch or verandah extends a minimum of 2.0 metres from the wall containing the main entrance to the dwelling unit and where second storey habitable floor space located above the garage is set back no more than 2.5 metres beyond the vehicular entrance of an attached private garage, no part of any attached private garage shall extend more than 6.0 metres beyond the wall containing the main entrance to the dwelling unit;

xi. SPECIAL REGULATIONS:

A. despite the provisions of Section 2(b) of this By-law unenclosed porches not exceeding 1.5 metres in height above established grade, may encroach a maximum 1.5 metres into a required minimum front yard and minimum flankage side yard and a maximum of 0.6 metres into a required side yard where the side yard is a minimum of 1.2 metres.

15.190 Exception Zone 190 (By-law 5985-02. as amended by By-law 6163-03)

1. Definitions

   a) “Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) “Dwelling ` Single Attached or Single Attached Dwelling” shall mean one of a group of not less than 3 adjacent dwellings attached together horizontally by an above grade common wall;

   c) “Floor Area - Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   d) “Gross Floor Area - Residential” shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   e) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   f) “Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

   g) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   h) “Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   i) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   j) “Front Yard” shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

   k) “Front Yard Depth” shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

l) “Rear Yard” shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

m) “Rear Yard Depth” shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

n) “Side Yard” shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

o) “Side Yard Width” shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

2. PROVISIONS (“SA-11” Zone)

a) Uses Permitted (“SA-11” Zone)

No person shall, within the lands designated “SA-11”, use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single attached dwelling residential use;

b) Zone Requirements (“SA-11” Zone)

No person shall, within the lands designated “SA-11”, use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum): 180 square metres

ii. LOT FRONTAGE (minimum): 5.0 metres

iii. FRONT YARD DEPTH (minimum): 6.0 metres

iv. SIDE YARD WIDTH (minimum):

A. 1.2 metres; and

B. on the side where dwellings on adjacent lots are attached, no side yard is required, provided any wall other than the common wall that is on the side of the lot upon which the dwellings are attached, shall be set back from the lot line separating such lots as follows:

1) 1.2 metres measured perpendicularly to such side lot line if no side yard is provided on the abutting lot; or

2) 0.6 metres measured perpendicularly to such side lot line if a side yard is provided on the abutting lot.

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 40 percent

vii. BUILDING HEIGHT (maximum): 12.0 metres

viii. DWELLING UNIT REQUIREMENTS:

maximum one dwelling unit per lot and minimum gross floor area - residential of 100 square metres;

ix. PARKING REQUIREMENT:

minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street;

x. SPECIAL REGULATIONS

A. Single Attached Dwellings in an “SA-11” zone shall be attached above grade by a common wall which extends from the base of the foundation to the roof line and for a horizontal distance of not less than 75 percent of the horizontal depth of the building;

15.191 Exception Zone 191 (By-law 4005-92, as amended by By-law 4130-92)

1. Definitions

   a) “Public School” shall mean,

      i. a school under the jurisdiction of a Board of Education which Board is continued or established pursuant to the Education Act, R.S.O. 1990, c. E.2, or any successor thereto;

      ii. a college of applied arts and technology continued or established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1990, c. M.19, or any successor thereto; and

      iii. a university eligible to receive provincial funding pursuant to the Ministry of Colleges and Universities Act, or any successor thereto.

   b) “Private Non-Residential School" shall mean a school which is maintained for educational or religious purposes but shall not include any other school defined herein;

   c) “Private Residential School" shall mean a school which is maintained for educational or religious purposes and which includes accessory residential facilities but shall not include any other school defined herein;

   d) “Commercial School" shall mean a school which is operated for gain or profit and may include the studio of a dancing teacher or music teacher, or an art school, a golf school or any other such school operated for gain or profit, but shall not include any other school defined herein;

   e) “Day Nursery" shall mean lands and premises duly licenced pursuant to the provisions of the Day Nurseries Act, RSO 1990, c. D2, or any successor thereto, and for the use as a facility for the daytime care of children

   f) "Dwelling" shall mean building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer

   g) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   h) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   i) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

j) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of the storey or part of a storey;

k) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

l) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

m) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

n) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

o) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

p) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

q) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

u) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

v) “Flankage Side Yard” shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

2. PROVISIONS

a) Uses Permitted ("R3(DN-PS)" Zone)

No person shall within the lands designated "R3(DN-PS)" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. day nursery

iii. private non- residential school

b) Zone Requirements ("R3(DN-PS)" Zone)

No person shall within the lands designated "R3(DN-PS)", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 0.18 hectares

ii. LOT FRONTAGE (minimum): 30 metres

iii. FRONT YARD DEPTH (minimum): 25 metres

iv. SIDE YARD WIDTH (minimum):

A. East side yard: 2 metres

B. West side yard: 4 metres

v. REAR YARD DEPTH (minimum): 20 metres

vi. LOT COVERAGE (maximum): 33%

vii. BUILDING HEIGHT (maximum): 12 metres

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

ix. PARKING REQUIREMENTS:

A. For the purpose of this clause "parking space" shall mean a useable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

B. There shall be provided and maintained on the lands a minimum of 9 parking spaces;

C. Section 5.21.2(a) and 5.21.2(b) of By-law 3036 shall not apply to lands designated “R3(DN-PS)”;

D. All parking areas shall be surfaced with brick, concrete, asphalt, or any combination thereof.

x. SPECIAL REGULATIONS:

A. The aggregate gross floor area of all day nurseries and private schools on the lands shall not exceed 350 square metres

B. The aggregate number of persons enrolled at any one time in day nurseries and private schools on the land shall not exceed 55;

C. A private school on the land shall be restricted to the teaching equivalent grade levels up to and including elementary grade defined in the Education Act

15.192 Exception Zone 192 (By-law 4045-92, as amended by By-law 4124-92)

1. Definitions

   a) "Dwelling Unit, Barrier - Free" shall mean a dwelling unit that incorporates the following design features:

      i. 1-bedroom units shall have a minimum dwelling unit area of 51 square metres;

      ii. 2-bedroom units shall have a minimum dwelling unit area of 73 square metres;

      iii. operating devices such as thermostats, switches, faucets, latches, handles and locks shall be operable by one hand, shall not require fine finger control or twisting of the wrist to operate, and shall be mounted between 0.4 and 1.2 metres from the floor;

      iv. grab-bars shall be provided in all bathrooms and in other appropriate locations;

      v. a square unobstructed wheelchair turning area of at least 1.5 square metres in area shall be provided at the entrance area within each unit, and in each bedroom and kitchen;

      vi. all doorways shall provide a minimum unobstructed passage area of 1 metre in width;

      vii. surfaces such as counters, stove tops and sinks shall have a maximum height of 0.85 metres from the floor, and a minimum underside clearance of 0.7 metres from their edge;

      viii. visual and audible fire alarms shall be installed in each unit;

      ix. each unit shall have at least one bedroom with direct access to a bathroom;

      x. bathrooms shall have a minimum floor area of 7.5 square metres;

      xi. thermostat controlled valves shall be provided to regulate water temperature for all sink, shower and bathtub faucets;

   b) "Dwelling Unit, Senior Citizen" shall mean a dwelling unit that incorporates the following design features:

      i. 1-bedroom units shall have a minimum dwelling unit area of 51 square metres;

      ii. 2-bedroom units shall have a minimum dwelling unit area of 73 square metres;

iii. operating devices such as thermostats, switches, faucets, latches, handles and locks shall be operable by one hand and shall not require fine finger control or twisting of the wrist to operate;

iv. grab-bars shall be provided in all bathrooms and in other appropriate locations;

v. a square unobstructed wheelchair turning area of at least 1.5 square metres in area shall be provided at the entrance area within each unit, and in each bedroom and kitchen;

vi. all doorways shall provide a minimum unobstructed passage area of 1 metre in width;

vii. each unit shall have at least one bedroom with direct access to a bathroom;

viii. bathrooms shall have a minimum floor area of 7.5 square metres;

c) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

d) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

e) "Multiple Dwelling - Vertical" shall mean a building containing three or more dwelling units attached horizontally and vertically by an above grade wall or walls, or an above grade floor or floors, or both;

f) "Senior Citizens Apartment" shall mean a multiple dwelling - vertical building, complying with the following provisions:

i. a minimum of 10% of the total number of dwelling units shall be dwelling units, barrier - free;

ii. a minimum of 65% of the total number of dwelling units shall be dwelling units, senior citizen;

iii. no dwelling units, dwelling units, barrier - free or dwelling units, senior citizen shall contain more than two bedrooms;

iv. a minimum of one lounge area, having a minimum floor area of 20 square metres, shall be provided on each floor for the common usage of residents and visitors;

v. all internal corridors shall have a minimum width of 1.8 metres;

vi. all doorways shall provide a minimum unobstructed passage area of 1 metre in width;

vii. mechanical door closing and opening aids shall be provided at all building entrances; and

g) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

2. PROVISIONS

a) Uses Permitted ("RH(SC)" Zone)

No person shall within the lands designated "RH(SC)" use any lot or erect, alter or use any building or structure for any purpose except for one of the following:

i. Multiple Dwelling - Vertical that is not a Senior Citizens Apartment; or

ii. Multiple Dwelling - Vertical that is a Senior Citizens Apartment; but not both.

b) Zone Requirements ("RH(SC)" Zone)

No person shall within the lands designated "RH(SC)" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING HEIGHT (maximum): 22 metres

ii. LOT COVERAGE (maximum): 42%

iii. DWELLING UNIT REQUIREMENTS:

A. For Multiple Dwelling - Vertical that is not a Senior Citizens Apartment, not less than 30 and not more than 37 dwelling units shall be permitted; or

B. For Multiple Dwelling - Vertical that is a Senior Citizens Apartment, not less than 30 and not more than 88 dwelling units shall be permitted.

iv. PARKING REQUIREMENTS:

A. For the purpose of this clause, a "parking space" shall mean a useable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

B. For Multiple Dwelling - Vertical that is not a Senior Citizens Apartment, there shall be provided and maintained on the lot a

minimum of 1.2 parking spaces per dwelling unit for residents and 0.3 parking spaces per dwelling unit for visitors. All resident parking spaces shall be provided in a below grade structure. Visitor parking spaces shall be provided at grade, in a below grade structure, or both;

C. For Multiple Dwelling - Vertical that is a Senior Citizens Apartment, there shall be provided and maintained on the lot a minimum of 0.3 parking spaces per dwelling unit for residents and 0.25 parking spaces per dwelling unit for visitors. All resident parking spaces shall be provided in a below grade structure. Visitor parking spaces shall be provided at grade, in a below grade structure, or both;

D. All parking areas shall be surfaced with brick, asphalt or concrete, or any combination thereof; and

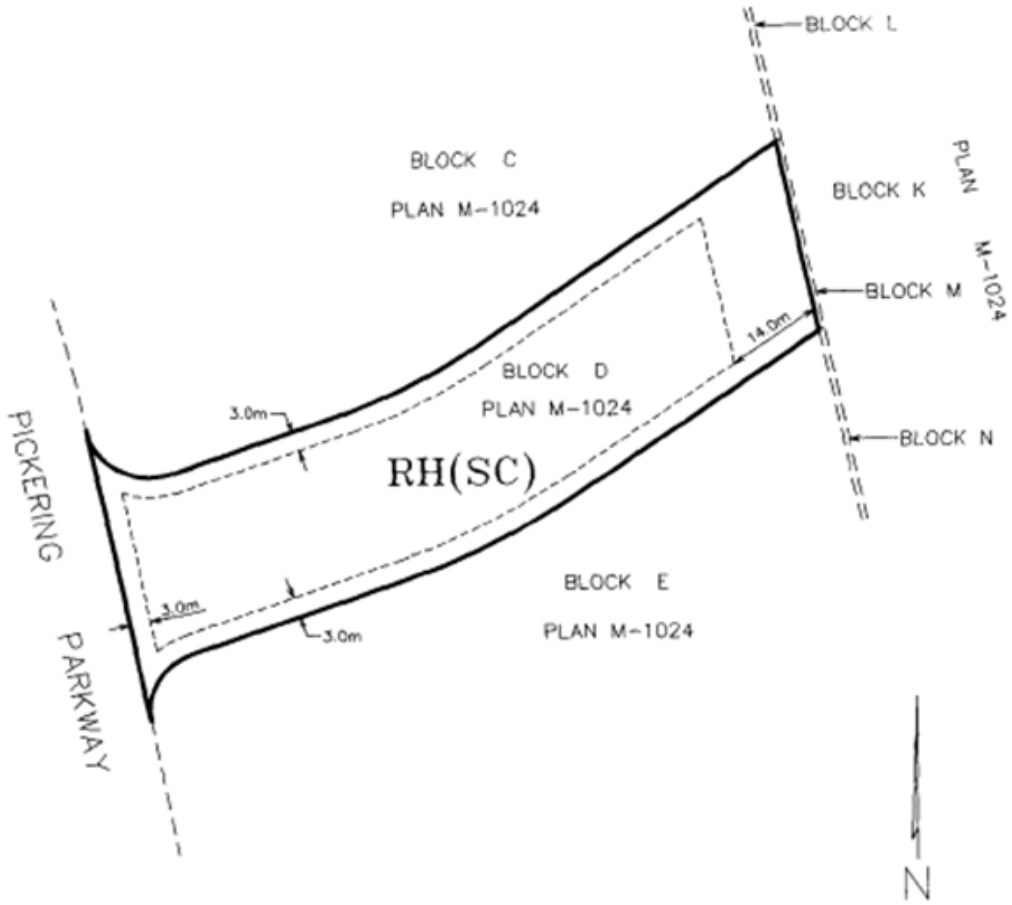
E. Sections 5.21.2(e), 5.21.2(g), 6.5(b) and 6.5(c) of By-law 3036, as amended, shall not apply.

v. YARD SETBACKS (minimum): As illustrated on Figure 1 attached hereto

vi. OBSTRUCTION OF YARDS:

Notwithstanding Section 5.7 of Zoning By-law 3036, a vehicular ramp and a pedestrian stairway for access to and from a below grade parking structure shall be permitted anywhere in the front yard.

3. Figure 1



SCHEDULE I TO BY-LAW 4045/92
PASSED THIS 29th
DAY OF June 1992

Amended by By-law 4124/92

MAYOR

CLERK

15.193 Exception Zone 193 (By-law 4058-92)

1. Definitions

   a) “Day Nursery” shall mean lands and premises duly licensed pursuant to the Day Nurseries Act, or any successor thereto, for use as a facility for the daytime care of children;

   b) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   c) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   d) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   e) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted (“S3” Zone)

No person shall within the lands designated “S3” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“S3” Zone)

No person shall within the lands designated “S3”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres.

c) Uses Permitted ("OS-HL" Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any building or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

d) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

e) Uses Permitted ("OS-HL-2" Zone)

No person shall within the lands designated "OS-HL-2" use any lot or erect, alter or use any building or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

f) Zone Requirements ("OS-HL-2" Zone)

No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or

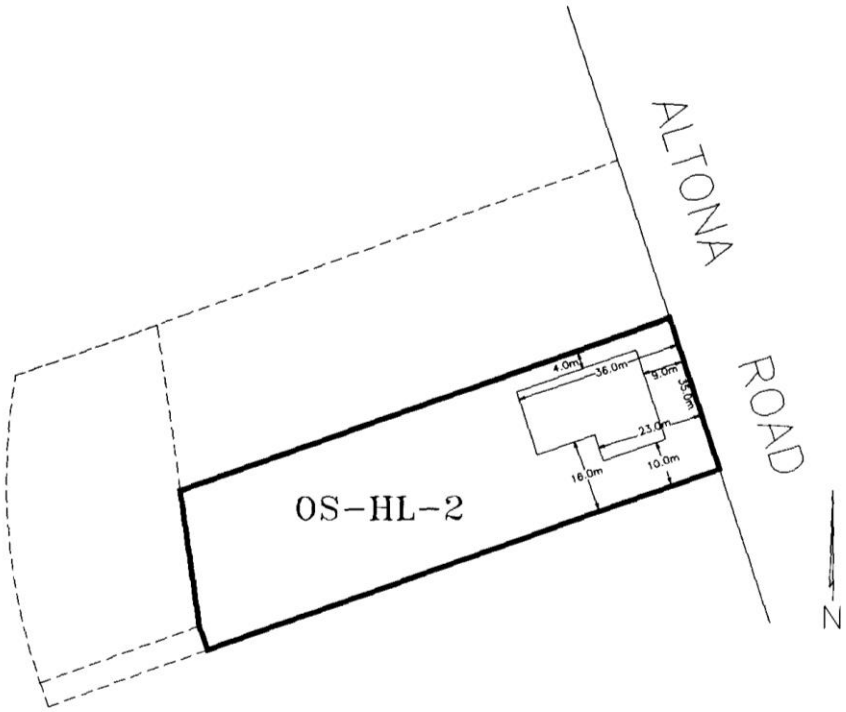
removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

g) Special Provisions (“OS-HL-2”)

i. Notwithstanding the provision of subsection 2(e) hereof, the lands designated “OS-HL-2” may be used for the purpose of a day nursery;

ii. Any building located on the lands designated “OS-HL-2” used solely for the purpose of a day nursery must be in accordance with the standards and provisions of Figure 1 attached hereto.

3. Figure 1



SCHEDULE II TO BY-LAW 4058/92
PASSED THIS 4th
DAY OF August 1992

MAYOR

CLERK

15.194 Exception Zone 194 (By-law 4061-92)

2. Definitions

a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

e) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

i) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted (“S1-9” Zone)

No person shall within the lands designated “S1-9” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“S1-9” Zone)

No person shall within the lands designated “S1-9”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 400 square metres

ii. LOT FRONTAGE (minimum): 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum): 1.2 metres

v. REAR YARD DEPTH (minimum): 7.5 metres

vi. LOT COVERAGE (maximum): 33 percent

vii. BUILDING HEIGHT (maximum): 9.0 metres

viii. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

ix. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

x. SPECIAL REGULATIONS: No part of any attached garage shall extend more than 3.0 metres beyond the front wall of the dwelling to which it is attached.

15.195 Exception Zone 195 (By-law 4081-92, as amended by By-law 6153-03 and By-law 6762-07)

1. Definitions

a) “Business Office” shall mean a building or part of a building in which the management or direction of a business, a public or private agency, a brokerage or a labour or fraternal organization is carried on and which may include a telegraph office, a data processing establishment, a newspaper publishing office, the premises of a real estate or insurance agent, or a radio or television broadcasting station and related studios or theatres; but shall not include a retail store;

b) “Convenience Store” shall mean a retail store in which food, drugs, periodicals or similar items of day-to-day household necessity are kept for retail sale primarily to residents of or persons employed in the immediate neighbourhood;

c) “Drug Store” shall mean building or part of a building in which pharmaceutical prescriptions are compounded and dispensed to the public, and where medicine, medical supplies and associated merchandise, confectionary items, cosmetics, toiletries, periodicals, or similar items of day-to-day household necessity are stored, displayed and offered for retail sale;

d) “Dry Cleaning Establishment – Type B” shall mean a building or part of a building where articles, goods or-fabric to be subjected to dry cleaning and related processes are received or distributed, or where a dry cleaning plant is operated, or both, where a dry cleaning plant does not exceed a dry weight capacity of 27 kilograms, does not vent or emit noxious gases, odors, or fumes, and is not a source of noise or vibration that causes a nuisance to neighbouring premises, and which may include the laundering, pressing or incidental tailoring or repair of articles, goods or fabric;

e) “Duplicating Shop” shall mean a building or part of a building where items such as letters, plans, pictures and documents are reproduced by photostatting, blueprinting or other similar methods;

f) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

g) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

h) "Dwelling Unit, Barrier - Free" shall mean a dwelling unit that incorporates the following design features:

i. 1-bedroom units shall have a minimum dwelling unit area of 51 square metres;

ii. 2-bedroom units shall have a minimum dwelling unit area of 73 square metres;

iii. operating devices such as thermostats, switches, faucets, latches, handles and locks shall be operable by one hand, shall not require fine finger control or twisting of the wrist to operate, and shall be mounted between 0.4 and 1.2 metres from the floor;

iv. grab-bars shall be provided in all bathrooms and in other appropriate locations;

v. a square unobstructed wheelchair turning area of at least 1.5 square metres in area shall be provided at the entrance area within each unit, and in each bedroom and kitchen;

vi. all doorways shall provide a minimum unobstructed passage area of 1.0 metre in width;

vii. surfaces such as counters, stove tops and sinks shall have a maximum height of 0.85 metres from the floor, and a minimum underside clearance of 0.7 metres from their edge;

viii. visual and audible fire alarms shall be installed in each unit;

ix. each unit shall have at least one bedroom with direct access to a bathroom;

x. bathrooms shall have a minimum floor area of 7.5 square metres;

xi. thermostat controlled valves shall be provided to regulate water temperature for all sink, shower and bathtub faucets;

i) "Dwelling Unit, Senior Citizen" shall mean a dwelling unit that incorporates the following design features:

i. 1-bedroom units shall have a minimum dwelling unit area of 51 square metres;

ii. 2-bedroom units shall have a minimum dwelling unit area of 73 square metres;

iii. operating devices such as thermostats, switches, faucets, latches, handles and locks shall be operable by one hand and shall not require fine finger control or twisting of the wrist to operate;

iv. grab-bars shall be provided in all bathrooms and in other appropriate locations;

v. a square unobstructed wheelchair turning area of at least 1.5 square metres in area shall be provided at the entrance area within each unit, and in each bedroom and kitchen;

vi. all doorways shall provide a minimum unobstructed passage area of 1 metre in width;

vii. each unit shall have at least one bedroom with direct access to a bathroom;

j) “Financial Institution” shall mean a building or part of a building in which money is deposited, kept, lent or exchanged;

k) “Gross Leasable Floor Area” shall mean the aggregate of the floor areas of all storeys above or below established grade designed for owner or tenant occupancy or exclusive use only, but excluding storage areas below established grade;

l) “Hotel” shall mean a building, or two or more attached buildings, used for the purpose of providing the public with temporary accommodations, having a minimum of 25 accommodation units accessed by internal corridors, and uses accessory thereto, including meeting rooms, conference rooms, recreational facilities, banquet halls, and dining and lounge areas;

m) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such a lot constitutes the whole of a lot or block on a registered plan of subdivision;

n) “Multiple Dwelling-Horizontal” shall mean a building containing three or more dwelling units attached horizontally, not vertically, by an above grade wall or walls;

o) “Multiple Dwelling-Vertical” a building containing three or more dwelling units attached horizontally and vertically by an above grade wall or walls, or an above grade floor or floors, or both;

p) “Multiple Dwelling-Vertical-Senior Citizens Apartment” shall mean a multiple dwelling-vertical building complying with the following provisions:

i. a minimum of 10% of the total number of dwelling units shall be dwelling units, barrier free;

ii. a minimum of 65%of the total number of dwelling units shall be dwelling units, senior citizen;

iii. no dwelling units, dwelling units, barrier-free or dwelling units, senior citizen shall contain more than two bedrooms;

iv. a minimum of one lounge area, having a minimum floor area of 100 square metres, shall be provided for the common usage of residents and visitors;

v. all internal corridors shall have a minimum width of 1.8 metres;

vi. all doorways shall provide a minimum unobstructed passage area of 1 metre in width;

vii. mechanical door closing and opening aids shall be provided at all building entrances.

q) Office-Associated Commercial Establishment" shall mean an establishment providing retail goods or equipment required for the daily operation of a business office or professional office, such as a stationery store, a computer store, or an office furniture store;

r) “Optical Store” shall mean a building or part of a building in which optical instruments such as eyeglasses, contact lenses, or magnifying glasses are prepared, dispensed, displayed and offered for retail sale;

s) Parking Space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of the parking aisle or driveway;

t) "Parking Structure" shall mean a building for the temporary storage of one or more vehicles accessory or incidental to the use provided for in a particular zone;

u) “Personal Service Shop” shall mean an establishment in which a personal service is performed and which may include a barber shop, a beauty salon, a shoe repair shop, a tailor or a dressmaking shop or a photographic studio, but shall not include a body-rub parlour as defined in section 224 (9)(b) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended from time to time, or any successor thereto;

v) “Professional Office” shall mean a building or part of a building in which medical, legal or other professional service is performed or consultation given, and which may include a clinic, the offices of an architect, a chartered accountant, an engineer, a lawyer or a physician, but shall not include a body-rub parlour as defined in the Municipal Act, R.S.O. 1980, Chapter 302, as amended from time to time, or any successor thereto;

w) “Retail Store” shall mean a building or part of a building in which goods, wares, merchandise, substances, articles or things are stored, kept and offered for retail sale to the public;

x) “Restaurant-Type D” shall mean a building or part of a building where food is prepared and offered or kept for retail sale to the public for immediate consumption on the premises, and which may include an accessory take-out component; and;

y) “Yard” shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

2. PROVISIONS

a) Uses Permitted (“RH” and “RH(SC)” Zones)

No person shall within the lands designated “RH” and “RH(SC)” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. on lands designated “RH”: Multiple Dwelling-Vertical

ii. on lands designated “RH(SC)”: Multiple Dwelling-Vertical-Senior Citizens Apartment

b) Zone Requirements (“RH” and “RH(SC)” Zone)

c) No person shall within the lands designated “RH” and “RH(SC)”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING HEIGHT (maximum): 5 storeys

ii. BUILDING ENVELOPE (maximum): as illustrated on Figure 1 attached hereto

iii. DWELLING UNITS (maximum): 175

d) Uses Permitted (“RH/MU-5” Zone)

No person shall within the lands designated “RH/MU-5” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. Multiple Dwelling-Horizontal

e) Zone Requirements (“RH/MU-5” Zone)

No person shall within the lands designated “RH/MU-5”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING HEIGHT: 3 storeys maximum

ii. BUILDING LOCATIONS:

Notwithstanding any other requirements of By-Law 3036, as amended, the following requirements shall regulate building locations on lands zoned "RH/MU-5".

A. The minimum yard depth from Brock Road shall be 3.0 metres and the maximum yard depth from Brock Road shall be 5.0 metres;

B. The minimum yard depth from Finch Avenue shall be 3.0 metres and the maximum yard depth from Finch Avenue shall be 5.0 metres;

C. The minimum yard depth from the western lot line shall be 6.0 metres;

D. The minimum yard depth from the southern lot line shall be 6.0 metres;

E. Notwithstanding any other requirement of this By-law, balconies, covered or uncovered steps, porches and platforms may project into any minimum yard depth to a maximum projection of 1.5 metres;

iii. NUMBER OF DWELLING UNITS:

A. The maximum number of multiple dwelling-horizontal units shall be 71 dwelling units;

f) PARKING REQUIREMENTS:

i. For the purpose of this clause, a "parking space" shall mean a usable and accessible area of not less than 2.6 metres in width and not less than 5.3 metres in length for the temporary parking of vehicles, but shall not include any portion of a parking aisle or driveway;

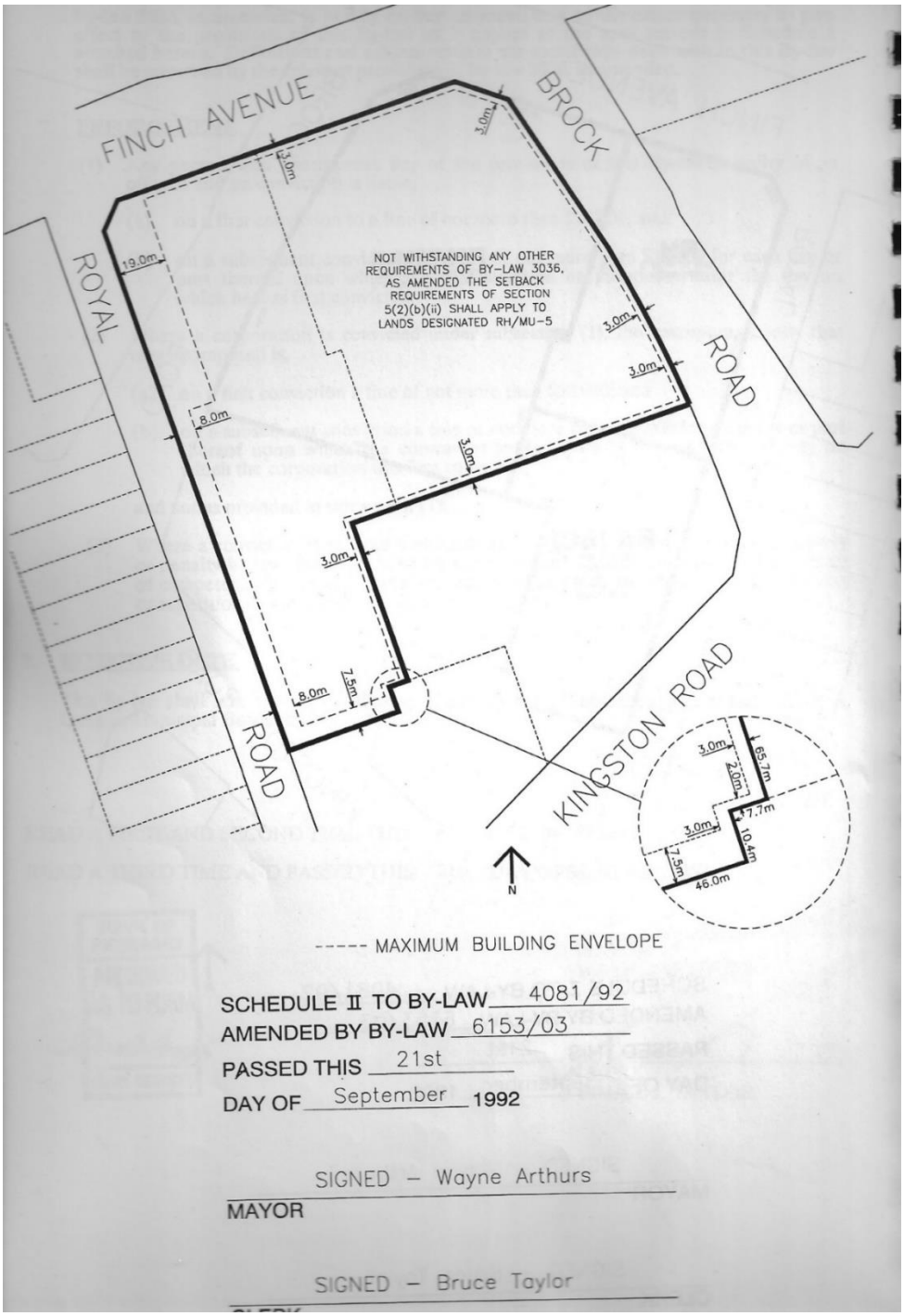
ii. For the lands designated "RH" there shall be provided and maintained on the lot a minimum of 1.2 parking spaces per dwelling unit for residents, and 0.3 parking sp. aces per dwelling unit for visitors. All resident parking spaces shall be provided in a below grade structure. Visitor parking spaces shall be provided at grade, in a below grade structure, or both;

iii. For the lands designated "RH(SC)” there shall be provided and maintained on the lot a minimum of 0.3 parking spaces per dwelling unit for residents and 0.25 parking spaces per dwelling unit for visitors. All resident parking spaces shall be provided in a below grade structure. Visitor parking spaces shall be provided at grade, in a below grade structure, or both;

iv. For lands designated "RH/MU-5"

A. For a multiple dwelling-horizontal use there shall be provided and maintained on the lot a minimum of 2.0 parking space per dwelling unit for residents and 0.3 parking spaces per dwelling unit for visitors.

3. Figure 1



15.196 Exception Zone 196 (By-law 4091-92)

1. Definitions

   a) "Church" shall mean a building dedicated to religious worship and may include a Sunday School or parish hall as an accessory use;

   b) "Floor Area-Non-Residential" shall mean the aggregate of the floor areas of all above and below grade storeys of all buildings and structures used for non-residential purposes, but shall exclude the floor area of any stairwells, elevators, and any part below established grade used exclusively for storage purposes;

   c) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   d) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   e) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   f) “Public School” shall mean:

      i. a school under the jurisdiction of a Board of Education which Board is continued or established pursuant to the Education Act, R.S.O. 1990, c. E.2, or any successor thereto;

      ii. a college of applied arts and technology continued or established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1990, c. M.19, or any successor thereto; and

      iii. a university eligible to receive provincial funding pursuant to the Ministry of Colleges and Universities Act, or any successor thereto.

   g) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   h) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

i) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

j) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

k) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

l) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

m) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

2. PROVISIONS

a) Uses Permitted (“I(C)-ES” Zone)

No person shall within the lands designated “I(C)-ES” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. church and uses accessory thereto

ii. public school and uses accessory thereto

b) Zone Requirements (“I(C)-ES” Zone)

No person shall within the lands designated “I(C)-ES”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 3.3 hectares

ii. LOT FRONTAGE (minimum): 195 metres

iii. YARD SETBACKS (minimum): as illustrated on Figure 1 attached hereto

iv. LOT COVERAGE (maximum): 20 percent

v. BUILDING HEIGHT (maximum): 12 metres

vi. PARKING REQUIREMENTS:

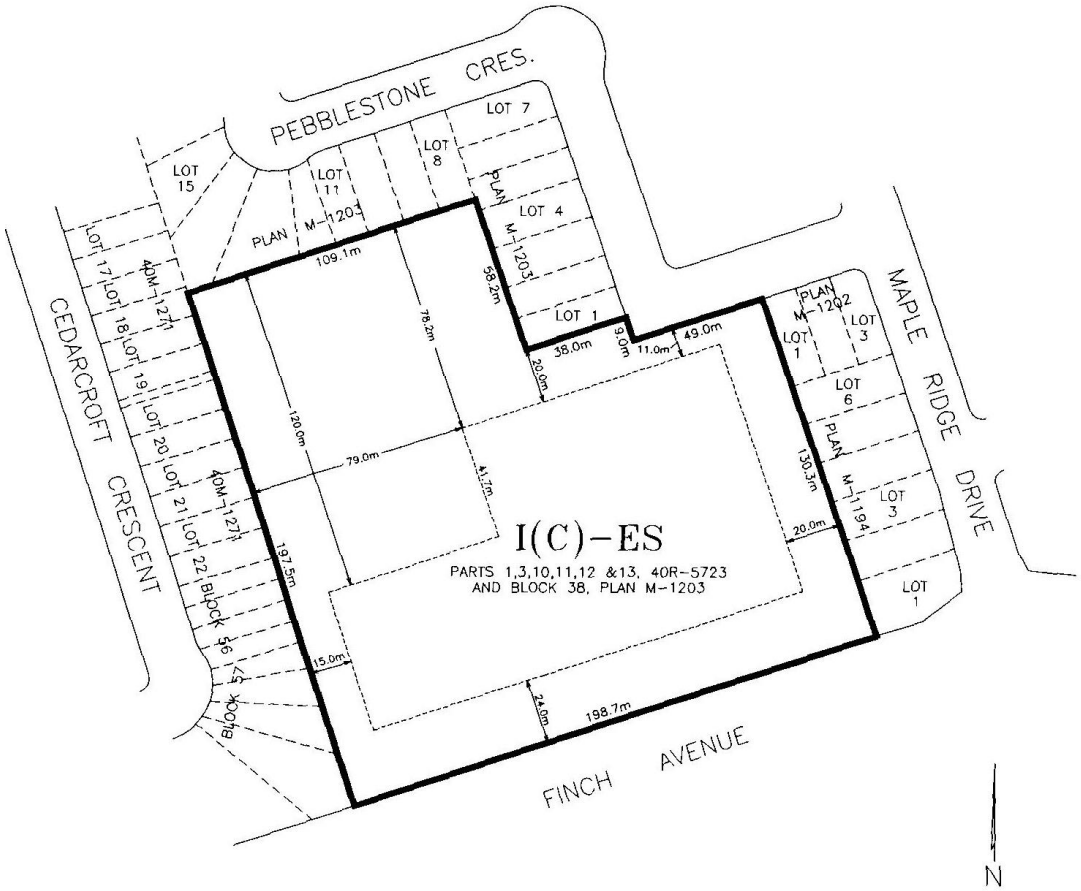
A. There shall be provided and maintained on the lands zoned "I(C)-ES" a minimum of 226 parking spaces, or 4.0 spaces per 100

square metres of floor area - non-residential within the zone, whichever is greater;

B. Notwithstanding Section 2.57 of By-law 3036, as amended, a parking space shall mean a usable and accessible area of not less than 5.3 metres in length and 2.6 metres in width for the temporary parking of a vehicle, but shall not include any portion of a parking aisle or driveway;

C. Notwithstanding Section 5.21.2, subsections b) and d) of By-law 3036, as amended, all parking setbacks shall be a minimum of 2.4 metres.

3. Figure 1



SCHEDULE I TO BY-LAW 4091/92
PASSED THIS 5th
DAY OF October 1992

MAYOR

CLERK

15.197 Exception Zone 197 (By-law 4112-92)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Dwelling, Semi-detached or Semi-detached Dwelling” shall mean one of a pair of single dwellings, such dwelling being attached together horizontally in whole or part above grade, below grade, or both above and below grade;

   f) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted ("S1" Zones)

No person shall within the lands designated "S1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1" Zone)

No person shall within the lands designated "S1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 400 square metres

ii. LOT FRONTAGE (minimum): 13.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

C. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

D. REAR YARD DEPTH (minimum): 7.5 metres

E. LOT COVERAGE (maximum): 38 percent

F. BUILDING HEIGHT (maximum): 12 metres

G. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

H. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

I. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

c) Uses Permitted ("S1E" Zones)

No person shall within the lands designated "S1E" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements ("S1E" Zone)

No person shall within the lands designated "S1E", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

e) Uses Permitted (“S2E" Zone)

No person shall within the lands designated “S2E" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

f) Zone Requirements (“S2E" Zone)

No person shall within the lands designated “S2E", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 10 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH: 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

g) Uses Permitted (“S4" Zone)

No person shall within the lands designated “S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

h) Zone Requirements (“S4" Zone)

No person shall within the lands designated “S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH

A. lots abutting Finch Avenue or a reserve on the opposite side of which is Finch Avenue (minimum): 4.5 metres

B. all other flankage lots (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

i) Uses Permitted ("SD-A" Zone)

No person shall within the lands designated "SD-A", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

j) Zone Requirements ("SD-A" Zone)

No person shall within the lands designated "SD-A", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH: 1.2 metres except that no interior side yard shall be provided on the side where dwellings are attached together, so long as every common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot or,

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres

B. despite the definition of "Dwelling, Semi- Detached or Semi-Detached Dwelling" in Section 1(e), Semi-Detached Dwellings erected in an "SD-A" zone shall be attached above grade by a private garage common wall which shall be not less than 3 metres in length and not less than 2.4 metres in height.

15.198 Exception Zone 198 (By-law 4113-92, as amended by By-law 5218-98)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

l) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted (“S2-8”, “S2-9”, “S3-3”, “S3-4” and “S4-2” Zones)

No person shall within the lands designated “S2-8”, “S2-9”, “S3-3”, “S3-4” and “S4-2” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements (“S2-8”, “S2-9”, “S3-3”, “S3-4” and “S4-2” Zones)

No person shall within the lands designated “S2-8”, “S2-9”, “S3-3”, “S3-4” and “S4-2”, use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on lands designated “S2-8”, “S2-9”: 450 square metres

B. on land designated “S3-3”, “S3-4”: 350 square metres

C. on lands designated “S4-2”: 300 square metres

ii. LOT FRONTAGE (minimum):

A. on lands designated “S2-8”, “S2-9”: 15 metres

B. on land designated “S3-3”, “S3-4”: 12 metres

C. on lands designated “S4-2”: 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. on lands designated “S2-8”: 1.2 metres

B. on lands designated “S2-9”:

1) north side yard 1.2 metres

2) south side yard 4.5 metres

C. on lands designated “S3-3” and “S3-4”:

1) minimum 1.2 metres each side, or

2) minimum 1.8 metres on side and no minimum other side

D. on lands designated “S4-2”:

1) minimum 1.2 metres one side, 0.6 metres other side, or

2) no minimum one side so long as the other side:

II. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

I. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. on lands designated “S3-3” and “S3-4”: 7.5 metres

B. on land designated “S2-8”, “S2-9”, “S3-4”: 10 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS:

A. on lands designated “S3-3” and “S3-4”, the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres;

B. on lands designated “S4-2”, the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

c) Uses Permitted ("OS-HL-1" Zone)

No person shall within the lands designated "OS-HL-1" use any lot or erect, alter or use any building or structure for any purpose except for the following:

i. conservation of the natural environment, soil, and wildlife

ii. resource management

d) Zone Requirements ("OS-HL-1" Zone)

No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or removed except for purposes of flood and erosion control or resource management.

e) Uses Permitted ("OS-HL-2" Zone)

No person shall within the lands designated "OS-HL-2" use any lot or erect, alter or use any building or structure for any purpose except for the following:

i. conservation of the natural environment, soil, and wildlife

ii. resource management

iii. neighbourhood park

f) Zone Requirements ("OS-HL-2" Zone)

No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or

removed except for purposes of flood and erosion control or resource management.

15.199 Exception Zone 199 (By-law 4123-92)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Dwelling, Semi-detached or Semi-detached Dwelling” shall mean one of a pair of single dwellings, such dwelling being attached together horizontally in whole or part above grade, below grade, or both above and below grade;

   f) “Single Attached Dwelling” shall mean one of a group of not less than three single adjacent dwelling units, attached together horizontally by an above grade common wall;

   g) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   h) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   i) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   j) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   k) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   l) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

n) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

o) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

t) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

u) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

v) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted ("S1-E" Zones)

No person shall within the lands designated "S1-E" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S1-E" Zone)

No person shall within the lands designated "S1-E", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH

A. Lots abutting Finch Avenue or a reserve on the opposite side of which is Finch Avenue (minimum): 4.5 metres

B. All other flankage lots (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

c) Uses Permitted (“S2-E" Zone)

No person shall within the lands designated “S2-E" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements (“S2-E" Zone)

No person shall within the lands designated “S2-E", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 10 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

e) Uses Permitted (“S4" Zone)

No person shall within the lands designated “S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

f) Zone Requirements (“S4" Zone)

No person shall within the lands designated “S4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. minimum 1.2 metres one side, 0.6 metres other side, or

B. no minimum one side as long as the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres.

g) Uses Permitted ("SA-4" Zone)

No person shall within the lands designated "SA-4", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. single attached dwelling residential use

h) Zone Requirements ("SA-4" Zone)

No person shall within the lands designated "SA-4", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 180 square metres

ii. LOT FRONTAGE (minimum): 6.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH: 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots,

or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot or,

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREIIENTS: minimum one private garage per lot attached to the main building and located not less than 6.0 metres from the front lot line.

15.200 Exception Zone 200 (By-law 4148-93)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) “Dwelling, Semi-detached or Semi-detached Dwelling” shall mean one of a pair of single dwellings, such dwelling being attached together horizontally in whole or part above grade, below grade, or both above and below grade;

   f) “Floor Area-Residential” shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   g) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   h) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   i) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   j) "Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   k) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   l) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

m) "Front Yard" shall mean a yard extending across the full width of a lot between the front line of the lot and the nearest wall of the nearest main building or structure on the lot;

n) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

r) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

s) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

t) “Flankage Side Yard Width” shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

u) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. PROVISIONS

a) Uses Permitted ("SD-A-1" Zone)

No person shall within the lands designated "SD-A-1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

b) Zone Requirements ("SD-A-1" Zone)

No person shall within the lands designated "SD-A-1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 200 square metres

ii. LOT FRONTAGE (minimum): 7 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH: minimum 1.2 metres except that:

A. where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

B. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

C. where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line;

1) minimum 1.2 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is not provided on the other lot; or

2) minimum 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREIIENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres

B. despite the definition of "Dwelling, Semi- Detached or Semi-Detached Dwelling" in Section 1(e), Semi-Detached Dwellings

erected in an "SD-A-1" zone shall be attached above grade by a common wall which shall be not less than 3.0 metres in length and not less than 2.4 metres in height.

c) Uses Permitted ("S-SD-A-1" Zone)

No person shall within the lands designated "S-SD-A-1", use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

ii. detached dwelling residential use

d) Zone Requirements ("S-SD-A-1" Zone)

No person shall within the lands designated "S-SD-A-1", use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum):

A. semi-detached dwelling residential use 200 square metres

B. detached dwelling residential use 250 square metres

ii. LOT FRONTAGE (minimum):

A. semi-detached dwelling residential use 7 metres

B. detached dwelling residential use 9 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. semi-detached dwelling residential use minimum 1.2 metres except that:

1) where dwellings on abutting lots share a common wall, no interior side yard shall be required adjacent to that wall on either lot;

2) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that extends along the common interior side lot line, no interior side yard shall be required adjacent to the extension of that wall on the lot upon which that dwelling is located;

3) where dwellings on abutting lots share a common wall and one of those dwellings has an extension of that common wall that does not extend along the common interior side lot line;

I. minimum 1.2 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which

that dwelling is located if an abutting interior side yard is not provided on the other lot; or

II. minimum 0.6 metre interior side yard shall be provided adjacent to the extension of that wall on the lot upon which that dwelling is located if an abutting interior side yard is provided on the other lot;

B. detached dwelling residential use

1) minimum 1.2 metres one side, 0.6 metres other side; or

2) no minimum one side so long as on the other side:

I. at least 1.2 metres interior side yard width is provided to the nearest wall of private garage; and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main building;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: minimum one dwelling unit per lot and minimum dwelling unit area of 100 square metres.

x. PARKING REQUIREIIENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres

B. where a lot abuts a walkway the minimum side yard width shall be 1.2 metres;

C. despite the definition of "Dwelling, Semi- Detached or Semi-Detached Dwelling" in Section 1(e), Semi-Detached Dwellings erected in an "S-SD-A-1" zone shall be attached above grade by a common wall which shall be not less than 3 metres in length and not less than 2.4 metres in height.

15.201 Exception Zone 201 (By-law 4183-93)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling. Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("R1-4" Zone)

No person shall within the lands designated "R1-4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use.

b) Zone Requirements ("R1-4" Zone)

No person shall within the lands designated "R1-4" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 740 square metres

ii. LOT FRONTAGE (minimum): 21 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 3.0 metres when side yard abuts lands zoned "A" or "OS-HL-1", and

B. 1.8 metres in all other cases

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 10 metres

vii. LOT COVERAGE (maximum): 33 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 139 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

c) Uses Permitted ("R3-6" Zone)

No person shall within the lands designated "R3-6" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use.

d) Zone Requirements ("R3-6" Zone)

No person shall within the lands designated "R3-6" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 550 square metres

ii. LOT FRONTAGE (minimum): 18 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. 10 metres where rear yard abuts lands zoned "OS-HL-1"; and,

B. 7.5 metres in all other cases;

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

e) Uses Permitted ("S1" Zone)

No person shall within the lands designated "S1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use.

f) Zone Requirements ("S1" Zone)

No person shall within the lands designated "S1" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 450 square metres

ii. LOT FRONTAGE (minimum): 15 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres each side; or

B. minimum 1.8 metres one side and no minimum other side;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS: on lands zoned "S1" the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres.

g) Uses Permitted ("S1-5" Zone)

No person shall within the lands designated "S1-5" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use.

h) Zone Requirements ("S1-5" Zone)

No person shall within the lands designated "S1-5" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 450 square metres

ii. LOT FRONTAGE (minimum): 15 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres each side; or

B. minimum 1.8 metres one side and no minimum other side;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 10 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS: on lands zoned "S1-5" the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

i) Uses Permitted ("S3" Zone)

No person shall within the lands designated "S3" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use.

j) Zone Requirements ("S3" Zone)

No person shall within the lands designated "S3" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH:

A. minimum 1.2 metres each side; or

B. minimum 1.8 metres one side and no minimum other side;

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres;

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

xi. SPECIAL REGULATIONS: on lands zoned "S3" the horizontal distance between buildings on adjacent lots shall not be less than 1.8 metres.

k) Uses Permitted ("OS-HL-1" Zone)

No person shall within the lands designated "OS-HL-1" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. conservation of the natural environment, soil, and wildlife;

ii. resource management.

l) Zone Requirements ("OS-HL-1" Zone)

No buildings or structures shall be erected, nor any existing buildings or structures be enlarged, modified or changed, nor shall fill be placed or removed except for purposes of flood and erosion control or resource management.

15.202 Exception Zone 202 (By-law 4221-93)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

r) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

s) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

t) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS

a) Uses Permitted ("S1-E" Zone)

No person shall within the lands designated "S1-E" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. dwelling residential use

b) Zone Requirements ("S1-E" Zone)

No person shall within the lands designated "S1-E" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 350 square metres

ii. LOT FRONTAGE (minimum): 12 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH

A. minimum 1.2 metres each side, or

B. minimum 1.8 metres one side and no minimum other side

v. FLANKAGE SIDE YARD WIDTH (minimum):

A. Lots abutting Finch Avenue or a reserve on the opposite side or which is Finch Avenue (minimum): 4.5 metres

B. All other flankage lots (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot, attached to the main dwelling, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres

c) Uses Permitted ("S2" Zone)

No person shall within the lands designated "S2" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

d) Zone Requirements ("S2" Zone)

No person shall within the lands designated "S2" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 300 square metres

ii. LOT FRONTAGE (minimum): 11 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH

A. minimum 1.2 metres each side, 0.6 metres other side or,

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot, attached to the main dwelling, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street

xi. SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall not be less than 1.2 metres

e) Uses Permitted ("S4" Zone)

No person shall within the lands designated "S4" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

f) Zone Requirements ("S4" Zone)

No person shall within the lands designated "S4" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 250 square metres

ii. LOT FRONTAGE (minimum): 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH

A. minimum 1.2 metres each side, 0.6 metres other side or,

B. no minimum one side so long as on the other side:

1) at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

2) at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling

v. FLANKAGE SIDE YARD WIDTH (minimum):

   A. Lots abutting Finch Avenue or a reserve on the opposite side or which is Finch Avenue (minimum): 4.5 metres

   B. All other flankage lots (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

x. PARKING REQUIREMENTS: minimum one private garage per lot, attached to the main dwelling, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining a street or abutting a reserve on the opposite side of which is a street

xi. SPECIAL REGULATION: the horizontal distance between buildings on adjacent lots shall be not less than 1.2 metres

15.203 Exception Zone 203 (By-law 3260)

1. Notwithstanding the foregoing, nothing in this Exception shall prevent the erection of one detached dwelling on the property hatched on Figure 1 attached hereto, in compliance with the following:

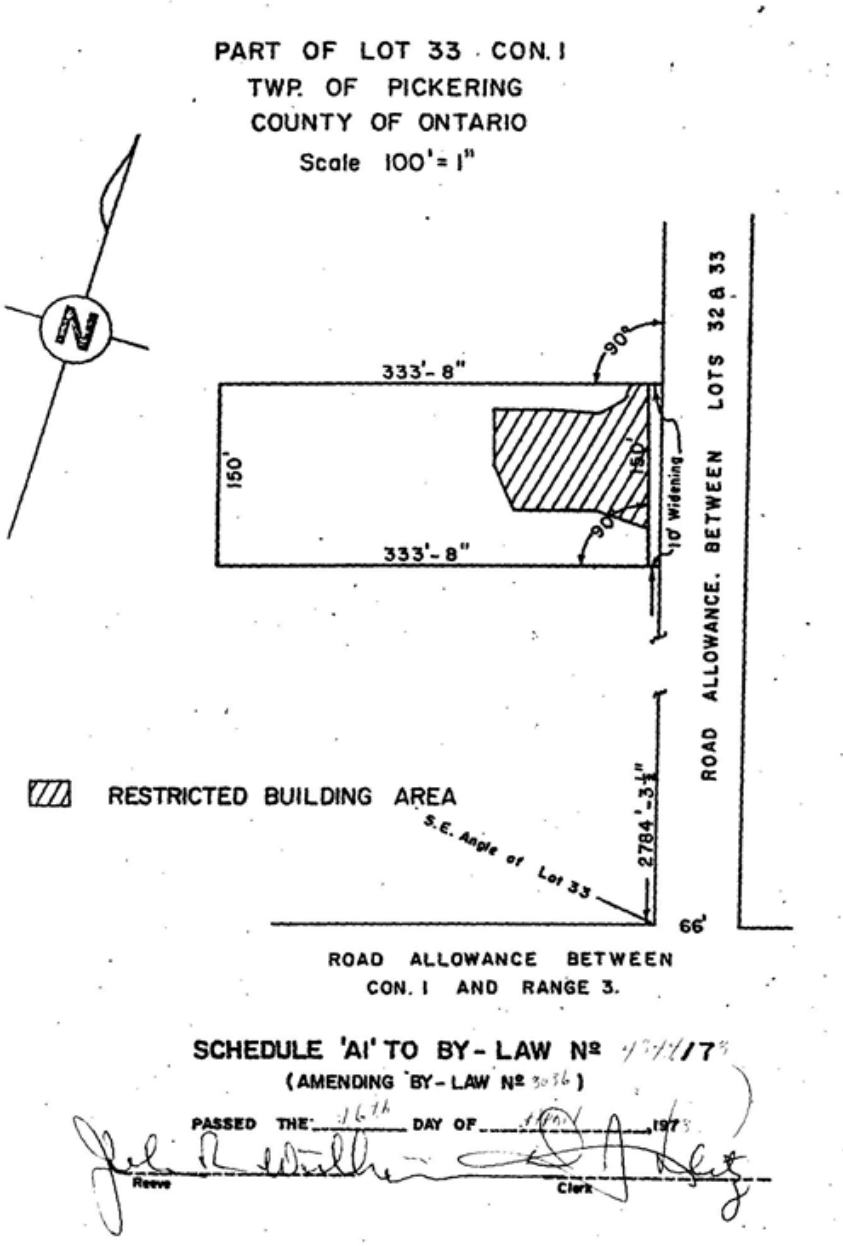
   a) No habitable floor area shall be below an elevation of 125 metres;

   b) No building or structure shall be erected on any land other than that area outlined as Restricted Building Area, on the Plan attached hereto as Figure 1;

   c) No building or structure shall be located nearer than 19.5 metres to the centre line of Sideline 32/33 or 12.0 metres from the west limit of Sideline 32/33, whichever shall be greater;

   d) Compliance with the provisions of Section 7.4 of By-law 3036.

2. Figure 1


PART OF LOT 33 CON. I
TWP. OF PICKERING
COUNTY OF ONTARIO
Scale 100'= 1"
N
333'-8"
90°
150'
150'
10' Widening
333'-8"
ROAD ALLOWANCE BETWEEN LOTS 32 & 33
RESTRICTED BUILDING AREA
S.E. Angle of Lot 33
2784'-3½"
66'
ROAD ALLOWANCE BETWEEN
CON. I AND RANGE 3.
SCHEDULE 'AI' TO BY-LAW Nº
(AMENDING BY-LAW Nº 3056)
PASSED THE 16th DAY OF
Reeve
Clerk

15.204 Exception Zone 204 (By-law 1002-79)

1. Notwithstanding the provisions of Sections 10.1 and 10.2 of By-law 3036, the lands designated R4-1 shall not be used except in accordance with the provisions of this Exception.

2. Definitions

   a) "Dwelling" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   b) "Single Dwelling" shall mean a building containing not more than one dwelling and uses accessory thereto.

   c) "Single Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings.

   d) "Lot Frontage" shall mean the horizontal distance between the side lot lines, such distance being measured along a line which is parallel to and 7.5 m distant from the front lot line.

   e) "Floor Area" shall mean the total area of all storeys contained within the outside walls of a building excluding, in the case of a building containing a dwelling or dwellings, any private garage, porch, verandah, sunroom, balcony, basement recreation room, unfinished attic or basement.

   f) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise.

   g) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures or other uses as are specifically permitted thereon.

   h) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot.

   i) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot.

   j) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

k) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot.

l) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot.

m) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot.

n) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street.

o) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

3. Uses Permitted

No person shall within the lands designated R4-1 erect, alter, or use any building or structure for any purpose except the following:

a) single detached dwelling residential uses

4. Zone Requirements

No person shall within the lands designated R4-1 erect, alter or use any building or structure unless such lot is served by a public water system and a sanitary sewer system and except in accordance with the following provisions:

a) LOT AREA (minimum): 300 square metres

b) LOT FRONTAGE (minimum): 10 metres, except that in case of a corner lot the minimum lot frontage shall be 12.5 metres

c) FRONT YARD DEPTH (minimum): 4.5 metres

d) SIDE YARD WIDTHS (minima):

i. interior side yard: 1.5 metres, except that on one side the interior side yard width may be between 0 metres and 0.3 metres, inclusive

ii. flankage side yard: 2.4 metres

e) REAR YARD DEPTH (minimum): 7.5 metres

f) FLOOR AREA (minimum): 100 square metres

g) LOT COVERAGE (maximum): 35 percent

h) BUILDING HEIGHT (maximum): 12 metres

i) DWELLINGS PER LOT (maximum): 1 only

j) PRIVATE GARAGES (minimum): 1 per dwelling, attached to the main building and located not less than 6 metres from the front lot line

k) SPECIAL SIDE YARD PROVISIONS:

i. each lot to which this section applies that abuts on its side lot line a lot to which this section does not apply shall provide a side yard having a minimum side yard width of 1.8 metres, adjacent to the latter lot.

ii. no doors or windows from habitable rooms shall be permitted on a wall of any building when that wall of the building is closer than 1.2 metres to the side lot line closest to it.

iii. the horizontal distance between buildings on adjacent lots to which this section applies shall be not less than 1.8 metres.

15.205 Exception Zone 205 (By-law 2353-87)

1. Definitions

   a) Dwelling" shall mean building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Dwelling, Single or Single Dwelling" shall mean a dwelling containing one dwelling unit and uses accessory thereto;

   d) "Dwelling, Detached or Detached Dwelling" shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

   e) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of the storey or part of a storey;

   f) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or a part thereof as the case may be, other than a private garage, an attic or a cellar;

   g) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   h) "Lot Coverage" shall mean the percentage of lot area covered by all buildings on the lot;

   i) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   j) "Private Garage" shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or services is conducted for profit or otherwise;

   k) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   l) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

m) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

n) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

o) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line or, where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

p) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

q) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest main wall of the nearest main building or structure on the lot;

r) "Interior Side Yard" shall mean a side yard other than a flankage side yard;

2. Uses Permitted ("S1" and "S2" Zones)

No person shall within the lands designated "S1" and "S2" use any lot or erect, alter or use any building or structure for any purpose except the following:

a) detached dwelling residential use

3. Zone Requirements ("S1" and "S2" Zones)

No person shall within the lands designated "S1" and "S2", use any lot or erect, alter or use any building except in accordance with the following provisions:

a) LOT AREA (minimum):

i. on lands designated "S1": 450 square metres

ii. on lands designated "S2": 400 square metres

b) LOT FRONTAGE (minimum):

i. on lands designated "S1": 15 metres

ii. on lands designated "S2": 13.5 metres

c) FRONT YARD DEPTH (minimum):

i. on lands designated "S1": 7.5 metres

ii. on lands designated "S2": 4.5 metres

d) SIDE YARD WIDTH (minimum):

   i. minimum 1.2 metres each side, or

   ii. minimum 1.8 metres one side and no minimum the other side

e) REAR YARD DEPTH (minimum): 7.5 metres

f) LOT COVERAGE (maximum): 38 percent

g) BUILDING HEIGHT (maximum): 12 metres

h) DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres

i) PARKING REQUIREMENTS:

   i. on lands designated "S1" - minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 9.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

   ii. on lands designated "S2" - minimum one private garage per lot attached to the main building any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting on a reserve on the opposite side of which is a street.

j) SPECIAL REGULATIONS: the horizontal distance between buildings on adjacent lots shall be not less than 1.8 metres.

15.206 Exception Zone 206 (By-law 5246-98)

1. Notwithstanding any other provisions of this By-law, a detached dwelling unit on Lot 17, Plan may include a second dwelling unit;
2. Notwithstanding section 9.2.3 Yard Requirements of By-law 3036, a detached dwelling on Lot 17, Plan 819 shall be subject to the following requirements:
    a) FRONT YARD (minimum): 4.5 metres
    b) REAR YARD (minimum): 40.0 metres
    c) SIDE YARD (minimum): 2.4 metres
3. A detached dwelling on Lot 17, Plan 819 must also comply with the following provisions:
    a) BUILDING HEIGHT (maximum): 9.0 metres
    b) PARKING REQUIREMENTS:
        i. a minimum of one parking space shall be provided for a second dwelling unit; and
        ii. where the vehicular entrance to a private garage is parallel to the front lot line, no part of a private garage shall be less than 6.0 metres from the front lot line, and no part of an attached private garage shall extend more than 2.4 metres beyond the wall containing the main entrance to the dwelling unit to which it is attached; or
        iii. where the vehicular entrance to an attached private garage is perpendicular to the front lot line, no part of the garage shall be located less than 4.5 metres from the front lot line.

15.207 Exception Zone 207 (By-law 2912-88, as amended by By-law 3707-91, By-law 5721-00, By-law 5722-00, By-law 5840-01, and By-law 7126-11)

1. Despite the front yard provisions of Section 10.2.3 and Section 5.9 and 5.18(a) of By-law 3036, where any lot having frontage on Rougemount Drive within the lands diagonally hatched on Figure 1 is used for a detached dwelling the following provisions also apply:

   a) FRONT YARD DEPTH (minimum): 15.0 metres

      i. Part of Lot 16, Plan 228

         Despite the obstruction of yards requirement of 5.7 (b) and front yard requirement of 10.3.6(i) of By-law 3036, the minimum front yard requirement to the southerly building existing at the time of the passing of the by-law shall be 13.0 metres and the existing uncovered platform attached to the southerly existing building may project a maximum of 1.0 metre into the front yard.

   b) DWELLING HEIGHT (maximum): 9.0 metres

      No part of any attached private garage shall extend more than 2.0 metres beyond the front wall of the dwelling to which it is attached

   c) ACCESSORY BUILDINGS

      i. no accessory building or part thereof shall be erected in a front yard;

      ii. any accessory building or part thereof erected in a side yard shall comply with the yard requirements of Section 10.2.3 of By-law 3036;

      iii. any accessory building or part thereof erected in a rear yard shall be located not less than 1.0 metre from all lot lines.

   d) OPEN SPACE/HAZARD LANDS (“OS-HL” Zone)

      i. Uses Permitted (“OS-HL” Zone)

         No person shall within the land designated “OS-HL”, use any land for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

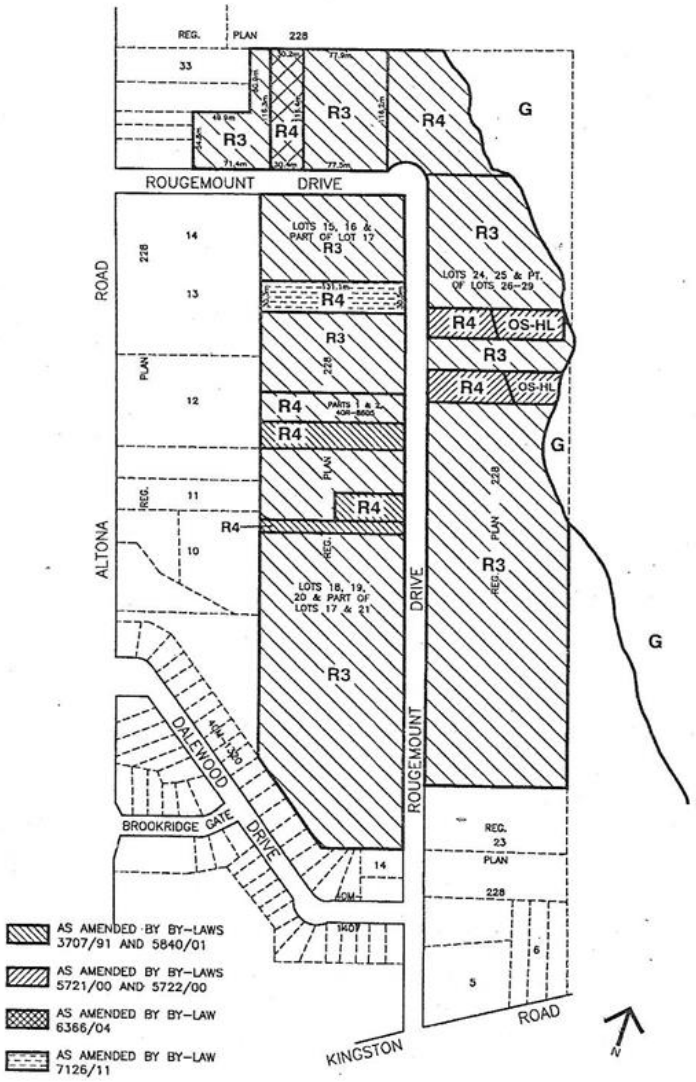
      ii. Zone Requirements (“OS-HL” Zone)

         No buildings or structures shall be permitted to be erected, nor any existing buildings or structures be modified or changed, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

iii. Special Regulations (“OS-HL” Zone)

Notwithstanding Section 10.2.3 of By-law 3036, any residential dwelling or part thereof shall be located no less than 10.0 metres from the zone designation of lands designated “OS-HL”.

2. Figure 1



SCHEDULE I TO BY-LAW 2912/88

PASSED THIS 11th

DAY OF October **1988**

J. E. Anderson (Signed)
MAYOR

B. J. Taylor (Signed)
CLERK

15.208 Exception Zone 208 (By-law 4229-93)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Multiple Dwelling-Quadruplex" shall mean a dwelling containing four dwelling units connected horizontally above grade, each unit being connected to two or more other units and having an independent entrance at grade;

   d) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   e) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   h) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   i) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

2. PROVISIONS

   a) Uses Permitted ("MD-Q" Zone)

      No person shall within the lands designated "MD-Q" use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. multiple dwelling-quadruplex residential

b) Zone Requirements ("MD-Q" Zone)

No person shall within the lands designated "MD-Q" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING HEIGHT (maximum): 12.0 metres

ii. DWELLING UNIT REQUIREMENTS:

A. Maximum of one dwelling unit per lot

B. Minimum gross floor area-residential of 100 square metres

C. Maximum of 16 dwelling units within the lands designated “MD-Q”

iii. LOT FRONTAGE (minimum): 5.0 metres

iv. PARKING REQUIREMENTS:

A. one tandem parking space per lot, not exceeding 2.7 metres in width and 12.0 metres in length, for the temporary parking of two vehicles end to end;

B. Each tandem parking space shall be located in the front yard of the lot.

v. YARD SETBACKS (minimum): as illustrated on Figure 1 attached hereto

vi. SPECIAL REGULATIONS:

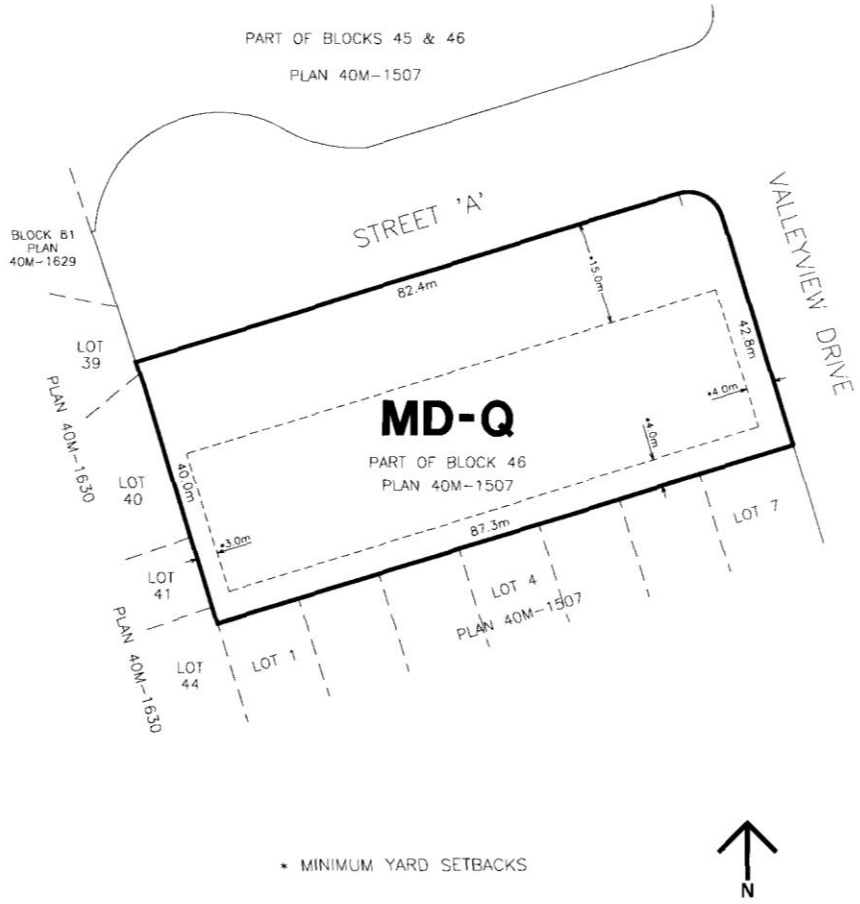
A. No freestanding accessory structures shall be permitted;

B. No attached accessory structures shall be permitted in the front yard;

C. A minimum horizontal distance of 3.6 metres shall be maintained between exterior walls of multiple dwellings-quadruplex;

D. All portions of the front yard not used for parking required by subsection 2(b)(iv) shall be maintained as landscaped open space

3. Figure 1



SCHEDULE I TO BY-LAW 4229/93
PASSED THIS 7th
DAY OF June 1993

MAYOR

CLERK

15.209 Exception Zone 209 (By-law 4230-93)

1. Definitions

   a) "Dwelling" shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

   b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

   c) "Multiple Dwelling-Quadruplex" shall mean a dwelling containing four dwelling units connected horizontally above grade, each unit being connected to two or more other units and having an independent entrance at grade;

   d) "Floor Area-Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

   e) "Gross Floor Area-Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

   f) "Lot" shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures, or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

   g) "Lot Frontage" shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

   h) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon;

   i) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

2. PROVISIONS

   a) Uses Permitted ("MD-Q" Zone)

      No person shall within the lands designated "MD-Q" use any lot or erect, alter or use any building or structure for any purpose except the following:

      i. multiple dwelling-quadruplex residential

b) Zone Requirements ("MD-Q" Zone)

No person shall within the lands designated "MD-Q" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. BUILDING HEIGHT (maximum): 12.0 metres

ii. DWELLING UNIT REQUIREMENTS:

A. Maximum of one dwelling unit per lot

B. Minimum gross floor area-residential of 100 square metres

C. Maximum of 12 dwelling units within the lands designated “MD-Q”

iii. LOT FRONTAGE (minimum): 5.0 metres

iv. PARKING REQUIREMENTS:

A. one tandem parking space per lot, not exceeding 2.7 metres in width and 12.0 metres in length, for the temporary parking of two vehicles end to end;

B. Each tandem parking space shall be located in the front yard of the lot.

v. YARD SETBACKS (minimum): as illustrated on Figure 1attached hereto

vi. SPECIAL REGULATIONS:

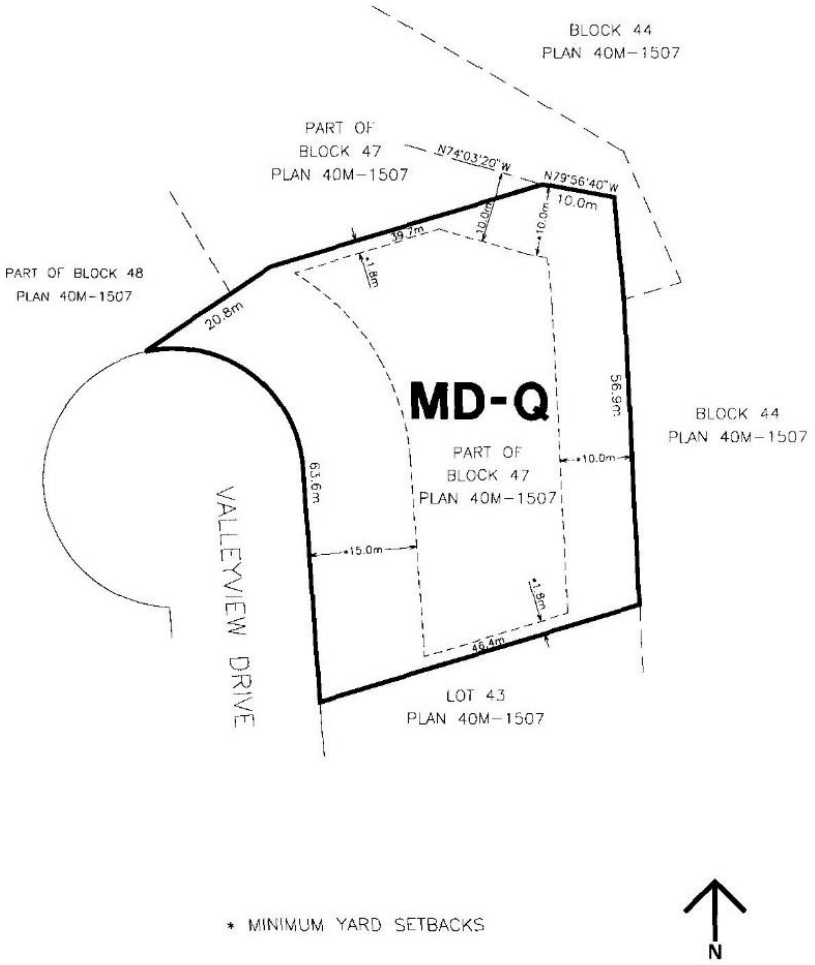
A. No freestanding accessory structures shall be permitted;

B. No attached accessory structures shall be permitted in the front yard;

C. A minimum horizontal distance of 3.6 metres shall be maintained between exterior walls of multiple dwellings-quadruplex;

D. All portions of the front yard not used for parking required by subsection 2(b)(iv) shall be maintained as landscaped open space

3. Figure 1



SCHEDULE I TO BY-LAW 4230/93
PASSED THIS 7th
DAY OF June 1993

MAYOR

CLERK

15.210 Exception Zone 210 (By-law 4271-93)

1. Definitions

a) "Dwelling” shall mean a building or part of a building containing one or more dwelling units, but does not include a mobile home or trailer;

b) "Dwelling Unit" shall mean one or more habitable rooms occupied or capable of being occupied as a single, independent and separate housekeeping unit containing a separate kitchen and sanitary facilities;

c) "Dwelling, Single or Single Dwelling” shall mean a dwelling containing one dwelling unit and uses accessory thereto;

d) "Dwelling, Detached or Detached Dwelling” shall mean a single dwelling which is freestanding, separate and detached from other main buildings or structures;

e) “Dwelling, Semi-Detached or Semi-Detached Dwelling” shall mean one of a pair of single dwellings, such dwellings being attached together horizontally in whole or in part above grade, below grade, or both above grade and below grade;

f) "Floor Area - Residential" shall mean the area of the floor surface contained within the outside walls of a storey or part of a storey;

g) "Gross Floor Area - Residential" shall mean the aggregate of the floor areas of all storeys of a building or structure, or part thereof as the case may be, other than a private garage, an attic or a cellar;

h) “Lot” shall mean an area of land fronting on a street which is used or intended to be used as the site of a building, or a group of buildings, as the case may be, together with any accessory buildings or structures. or a public park or open space area, regardless of whether or not such lot constitutes the whole of a lot or block on a registered plan of subdivision;

i) "Lot Coverage” shall mean the percentage of lot area covered by all buildings on the lot;

j) “Lot Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel to and 7.5 metres distant from the front lot line;

k) "Neighbourhood Park" shall mean a municipal public park;

l) "Private Garage” shall mean an enclosed or partially enclosed structure for the storage of one or more vehicles, in which structure no business or service is conducted for profit or otherwise;

m) "Public School" shall mean,

   i. a school under the Jurisdiction of a Board of Education which Board is continued or established pursuant to the Education Act, R.S.O. ·1990, chapter E.2, or any successor thereto;

   ii. a college of applied arts and technology continued or established pursuant to the Ministry of Colleges and Universities Act, R.S.O. 1990, chapter M.19, or any successor thereto; and

   iii. a university eligible to receive provincial funding pursuant to the Ministry of Colleges and Universities Act, or any successor thereto;

n) "Yard" shall mean an area of land which is appurtenant to and located on the same lot as a building or structure and is open, uncovered and unoccupied above ground except for such accessory buildings, structures, or other uses as are specifically permitted thereon.

o) "Front Yard" shall mean a yard extending across the full width of a lot between the front lot line of the lot and the nearest wall of the nearest main building or structure on the lot;

p) "Front Yard Depth" shall mean the shortest horizontal dimension of a front yard of a lot between the front lot line and the nearest wall of the nearest main building or structure on the lot;

q) "Rear Yard" shall mean a yard extending across the full width of a lot between the rear lot line of the lot, or where there is no rear lot line, the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

r) "Rear Yard Depth" shall mean the shortest horizontal dimension of a rear yard of a lot between the rear lot line, or where there is no rear lot line the junction point of the side lot lines, and the nearest wall of the nearest main building or structure on the lot;

s) "Side Yard" shall mean a yard of a lot extending from the front yard to the rear yard and from the side lot line to the nearest wall of the nearest main building or structure on the lot;

t) "Side Yard Width" shall mean the shortest horizontal dimension of a side yard of a lot between the side lot line and the nearest wall of the nearest main building or structure on the lot;

u) "Flankage Side Yard" shall mean a side yard immediately adjoining a street or abutting on a reserve on the opposite side of which is a street;

v) "Flankage Side Yard Width" shall mean the shortest horizontal dimension of a flankage side yard of a lot between the lot line adjoining a street or

abutting on a reserve on the opposite side of which is a street and the nearest wall of the nearest main building or structure on the lot;

w) "Interior Side Yard" shall mean a side yard other than a flankage side yard.

2. PROVISIONS ("R3-4" and "R3-5" Zones)

a) Uses Permitted ("R3-4" and "R3-5" Zones)

No person shall within the lands designated "R3-4" and "R3-5" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("R3-4" and "R3-5" Zones)

No person shall within the lands designated "R3-4" and "R3-5" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "R3-4": 800 square metres

B. on the lands designated "R3-5": 550 square metres

ii. LOT FRONTAGE (minimum): 18 metres

iii. FRONT YARD DEPTH (minimum): 4.5 meres

iv. INTERIOR SIDE YARD WIDTH (minimum):

A. 1.2 metres provided to the nearest wall of a private garage attached to the main dwelling, and

B. 1.8 metres provided to any other wall of the main dwelling, or

C. 1.8 metres one side, and 4.0 metres other side where a detached garage is located in the rear yard

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum):

A. on the lands designated "R3-4": 16 metres

B. on the lands designated "R3-5": 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. despite the provisions of Section 2(a) above, the area diagonally hatched on Figure 1 attached hereto shall only be used for tree preservation and conservation purposes, and no buildings or structures of any kind, including accessory buildings, but excluding fences along the lot lines, shall be erected; and no swimming pools, tennis courts or like recreational facilities shall be permitted.

B. all accessory buildings which are not part of the main dwelling shall be erected in the rear yard and shall not be Jess than 1.0 metres from any lot line, save and except that a private garage detached from the main dwelling may be located in any yard not less than 1.2 metres from any side lot line, and on the lands designated "R3-4" not less than 10 metres from any rear lot line, and on the lands designated "R3-5" not less than 3.0 metres from any rear lot line.

C. despite the provisions of Section 2(b)(viii) above, the maximum building height for any detached private garage shall be 3.6 metres.

D. despite the provisions of Section 2(b)(ix) above, where the vehicular entrance of a private garage is perpendicular to the front lot line, the nearest wall of that private garage may be located not less than 4.5 metres from the front lot line.

3. PROVISIONS ("S3" and "S4" Zones)

a) Uses Permitted ("S3" and "S4" Zones)

No person shall within the lands designated "S3" and “S4” use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

b) Zone Requirements ("S3" and “S4” Zones)

No person shall within the lands designated "S3" and "S4" use any lot or erect, alter or use any building or structure except in accordance with the following provisions:

i. LOT AREA (minimum):

A. on the lands designated "S3": 350 square metres

B. on the lands designated "S4": 250 square metres

ii. LOT FRONTAGE (minimum):

A. ion the lands designated "S3": 12.0 metres

B. on the lands designated "S4": 9.0 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. SIDE YARD WIDTH (minimum):

A. on the lands designated "S3":

1) minimum 1.2 metres each side, or

2) minimum 1.8 metres one side and no minimum other side

B. on the lands designated "S4":

1) minimum 1.2 metres one side, 0.6 metres other side, or

2) no minimum one side so long as on the other side:

I. at least 1.2 metres interior side yard width is provided to the nearest wall of a private garage, and

II. at least 1.8 metres interior side yard width is provided to any other wall of the main dwelling

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 38 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. on the lands designated "S3" the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.8 metres.

B. on the lands designated "S4" the horizontal distance between buildings on adjacent lots to which this section applies shall not be less than 1.2 metres.

4. PROVISIONS ("SD-A" Zone)

a) Uses Permitted ("SD-A" Zone)

No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. semi-detached dwelling residential use

b) Zone Requirements ("SD-A" Zone)

No person shall within the lands designated "SD-A" use any lot or erect, alter or use any building except in accordance with the following provisions:

i. LOT AREA (minimum): 225 square metres

ii. LOT FRONTAGE (minimum): 7.5 metres

iii. FRONT YARD DEPTH (minimum): 4.5 metres

iv. INTERIOR SIDE YARD WIDTH (minimum): 1.2 metres except that no interior side yard shall be provided on the side where dwellings on adjacent lots are attached together, so long as every wall on such side which is not part of a common wall extending along the side lot line separating such lots, or is not a direct extension thereof, shall be set back from the side lot line separating such lots as follows:

A. 1.2 metres measured perpendicularly to such side lot line if no abutting side yard is provided on the abutting lot, or

B. 0.6 metres measured perpendicularly to such side lot line if an abutting side yard is provided on the abutting lot.

v. FLANKAGE SIDE YARD WIDTH (minimum): 2.7 metres

vi. REAR YARD DEPTH (minimum): 7.5 metres

vii. LOT COVERAGE (maximum): 40 percent

viii. BUILDING HEIGHT (maximum): 12 metres

ix. DWELLING UNIT REQUIREMENTS: maximum one dwelling unit per lot and minimum gross floor area-residential of 100 square metres.

x. PARKING REQUIREMENTS: minimum one private garage per lot attached to the main building, any vehicular entrance of which shall be located not less than 6.0 metres from the front lot line and not less than 6.0 metres from any side lot line immediately adjoining or abutting a reserve on the opposite side of which is a street.

xi. SPECIAL REGULATIONS:

A. the horizontal distance between buildings on adjacent lots, except where such buildings are attached in whole or in part, shall be not less than 1.2 metres

B. despite the definition of "Dwelling, Semi-Detached or Semi-Detached Dwelling" in Section 1(e), Semi-Detached Dwellings erected in an "SD-A" Zone shall be attached above grade by a common wall which shall not be less than 3 metres in length and not less than 2.4 metres in height.

5. PROVISIONS ("R3-5-ES" and S4-ES" Zones)

a) Uses Permitted ("R3-5-ES" and "S4-ES" Zones)

No person shall within the lands designated "R3-5-ES" and "S4-ES" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. detached dwelling residential use

ii. public school use

b) Zone Requirements ("R3-5-ES" and "S4-ES" Zones)

No person shall within the lands designated "R3-5-ES" and "S4-ES" use any lot or erect, alter or use any building or structure for detached dwelling residential uses except on the lands designated "R3-5-ES" in accordance with the provisions of Section 2 respecting "R3-5" Zones, and except on the lands designated "S4-ES" in accordance with the provisions of Section 3 respecting "S4" Zones.

6. PROVISIONS ("OS-HL" Zone)

a) Uses Permitted ("OS-HL Zone)

No person shall within the lands designated "OS-HL" use any lot or erect, alter or use any 6uilding or structure for any purpose except the preservation and conservation of the natural environment, soil and wildlife.

b) Zone Requirements ("OS-HL" Zone)

No buildings or structures shall be permitted to be erected, nor shall the placing or removal of fill be permitted, except where buildings or structures are used only for purposes of flood and erosion control.

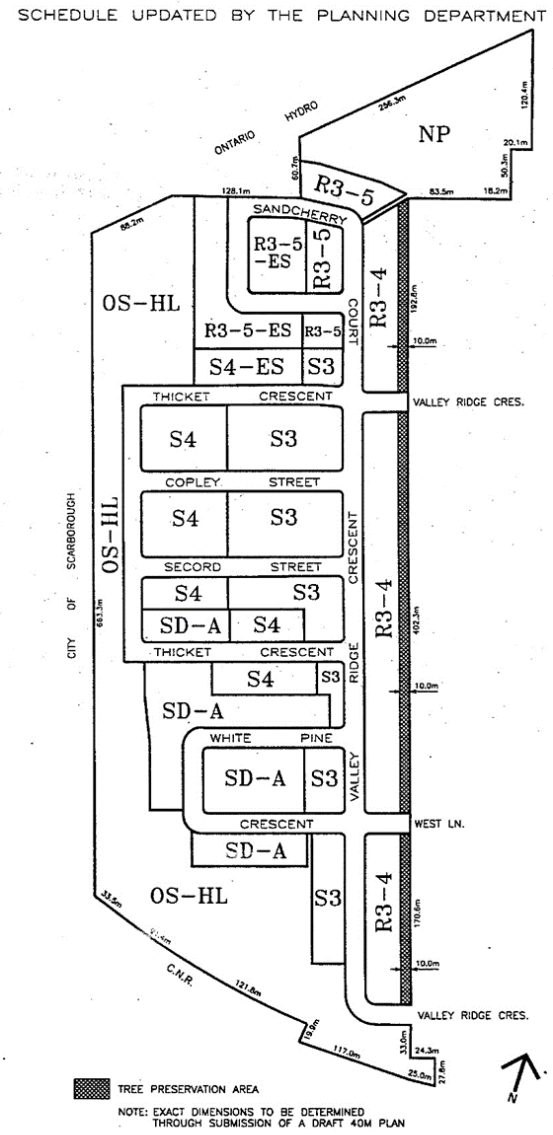
7. PROVISIONS ("NP" Zone)

a) Permitted ("NP" Zone)

No person shall within the lands designated "NP" use any lot or erect, alter or use any building or structure for any purpose except the following:

i. neighbourhood park

8. Figure 1



SCHEDULE I TO BY-LAW 4271/93
AS MADE BY
ONTARIO MUNICIPAL BOARD

ORDER DATE February 24, 1993
(O.M.B. FILE Z920046)

15.211 Exception Zone 211 (By-law 4325-73, as amended by By-law 671-77)

1. Definitions

   a) “Building Height” shall mean the vertical distance measured from the average elevation of the finished grade at the front wall of the building to the base of the eaves of the said building.

   b) “Coverage” shall mean the percentage of the lot area covered by all buildings.

   c) “Dwelling” shall mean one or more rooms, occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

   d) “Dwelling Types”

      i. Bungalow shall mean a one-storey dwelling.

      ii. Split level dwelling shall mean a dwelling in which the first floor above finished grade is so constructed as to create two or more different levels, the vertical distance between such levels always being less than a full storey.

      iii. Storey and a half dwelling shall mean a dwelling containing a half storey wholly or in part within the roof having a floor area equal to at least 50% of the area of the first storey.

      iv. Two storey dwelling shall mean a dwelling containing two storeys.

   e) “Dwelling Zones’’

      i. Single-detached zone is an area where each dwelling is free standing and separated from other uses by yards.

      ii. Semi-detached zone is an area where two dwellings may be joined horizontally and the two dwellings are separated from other uses by yards.

      iii. Single attached zone is an area where up to 6 dwellings may be joined horizontally and the group of dwellings is separated from other uses by yards.

   f) “Frontage” shall mean the width of a lot between the side lot lines measured along a line parallel and 6.0 metres from the street line.

   g) “Ground Floor Area” shall mean the area of a building based on the exterior dimensions of the said building or buildings.

h) “Neighbourhood Park” is a public park including recreation uses buildings and uses accessory thereto.

i) “Private Garage” means an enclosed or partially enclosed structure for the storage of one or more vehicles, in which no business occupation or service is conducted for profit.

j) “Yards”

i. Front Yard shall mean the space between the main front wall of a building and a street extending the full width of the lot.

ii. Side Yard shall mean the space between a main side wall of a building and a side lot line, extending from the front yard to the rear yard.

iii. Rear Yard shall mean the space between a main rear wall of a building and the rear lot line, and extending the full width of the lot.

iv. Flankage Yard shall mean the space between a main wall of the building and a side lot line bounding on a public street and extending from front lot line to rear lot line.

2. PROVISIONS

a) The performance standards and provisions as set out on Figure 1 hereto shall apply to the area restricted by this by-law.

3. Figure 1

Zone	Symbol	Maximum Density		Minimum Yards			Minimum Ground Floor Area/Dwelling (Sq. m.)			Minimum Parking Space per Dwelling
		Minimum Frontage	Minimum Lot Area/Dwelling	Front	Side and Flankage	Rear	Bung.	Split or 1 ½	2 Storey	
Single Detached Dwelling	S	1 dwelling per Registered Lot 12 metres 15 metres corner lot	460 sq.m.	4.5 metres	1.2 metres side 2.7 metres flankage	7.5 metres	110	74	65	Each dwelling shall have one attached private garage set back at least 6.0 metres from a street in addition to the minimum ground floor requirements
Semi-detached Dwellings	SD	2 dwellings per Registered Lot 16.5 metres 18 metres corner lot	255 sq.m.		1.2 metres side 2.7 metres flankage					
Single-Attached Dwellings	SA	Up to 6 dwellings/registered lot 6.5 metres 7.5 metres end lot 9 metres corner lot	220 sq.m.		1.0 metres side 2.4 metres flankage		95	69	60	
Neighbourhood Park	NP	Neighbourhood Park, recreation uses, buildings and uses accessory thereto								

4. Provisions:

a) Maximum building height 10.5 metres

b) Maximum building coverage 33%

15.212 Exception Zone 212 (By-law 186-75, as amended by By-law 268-75)

1. Definitions

    a) "Senior Citizens Apartment” shall mean a building containing more than four (4) dwelling units, each unit having access from an inter al corridor system and with provision being made for ancillary recreational uses within the building, such as a lounge and club facilities, and shall be for occupation by elderly persons, and shall be developed by a public agency, service club, church or any other non-profit organization, the financing of which shall be sponsored by a federal, provincial, or municipal organization, or public subscription or donation, or donation thereof.

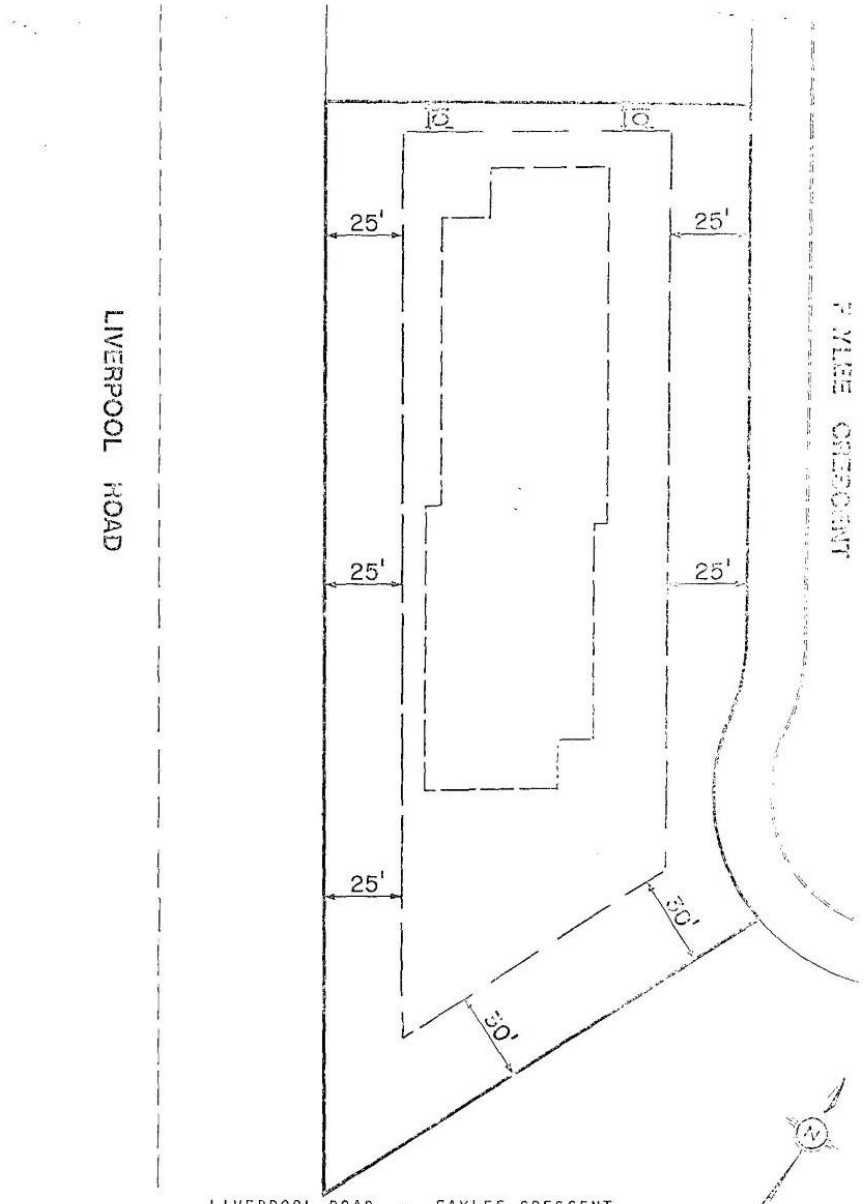
2. Provisions

    a) The performance standards and provisions as set out on Figure 1 hereto shall apply to the Area restricted by this by-law.

3. Figure 1

Zone	Symbol	Uses Permitted	Maximum # of Units	Landscaped Open Space	Coverage	Building Heights	Minimum Net Floor Area	Setbacks	Minimum Parking Requirement
Residential Apartment	A36	Senior Citizens Apartment	36 Units	Minimum 50 percent	Maximum 33 percent	10.5 metres	1 unit – 43 square metres minimum	Setback from street & property boundaries as per Figure 2	1 space per 4 units

4. Figure 2



NOTES:

1. Distances from Property Line to Building Set-back Line are Minimum Dimensions. Buildings Shown in Dash Lines are for Purposes of Illustration Only and do not Represent the Required Building Location or Dimension.
2. A Site Plan Agreement has been Signed in Respect to This Block.
3. Above Sketch - Not to Scale.

15.213 Exception Zone 213 (By-law 307-75)

1. Definitions

    a) "Coverage" shall mean the percentage of lot area covered by all buildings including private garage.

    b) "Dwelling" shall mean one or more rooms, occupied or capable of being occupied as an independent and separate housekeeping unit containing a separate kitchen and sanitary facilities.

    c) "Landscaped Open Space" shall mean that percentage of the lot area not covered by buildings, driveways and parking spaces.

    d) "Residential-Multiple" shall mean a building divided vertically into 3 or more dwelling units, each having independent external entrances at grade level of the building.

    e) "Private Garage" shall mean an enclosed structure for the storage of one or more vehicles, in which no business, occupation or service is conducted for profit.

    f) "Storey" shall mean that portion of a building (including a basement which is less than 50% below ground level) between the surface of any floor and the surface of the floor, roof deck or ridge above it. This shall not include a cellar or attic.

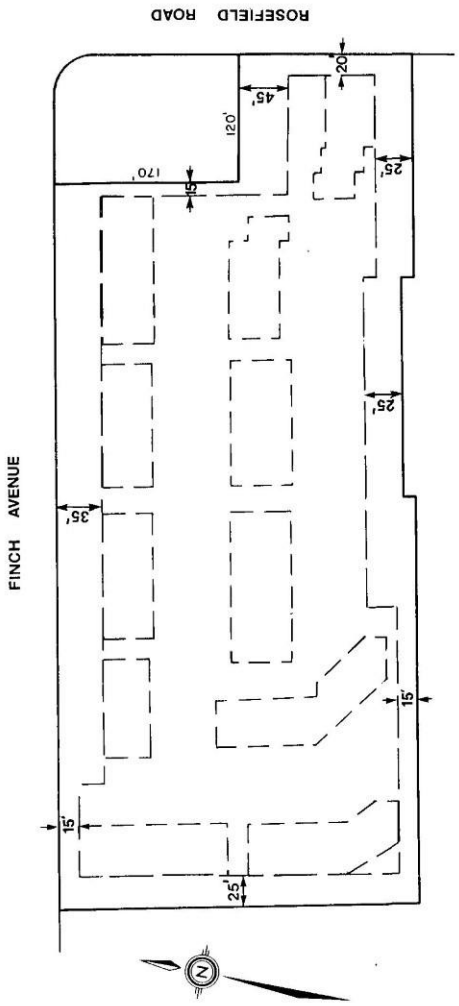
2. Provisions

    a) The performance standards and provisions as set out on Figure 1 hereto shall apply to the area restricted by this By-law.

3. Figure 1

Zone	Symbol	Maximum Density	Minimum Landscaped Open Space	Maximum Coverage	Maximum Height	Setbacks	Minimum Gross Floor Area Per Dwelling	Minimum Parking Requirements
Residential Multiple	M15	38 u.p.ha to the nearest full unit	50 percent	30 percent	3 storeys	As per Figure 2	95 square metres	Each dwelling shall have 1 private garage plus 1 visitor parking space
Residential Multiple	M16	40 u.p.ha to the nearest full unit	50 percent	30 percent	3 storeys	As per Figure 2	95 square metres	Each dwelling shall have 1 private garage plus 1 visitor parking space
Local Commercial	C1	As defined in Section 11 of By-law 3036						4 parking spaces for each 93 square metres of commercial floor area

4. Figure 2



FINCH AVENUE - ROSEFIELD ROAD

SCHEDULE 'C' TO BY-LAW 307/75

PASSED THIS 10th DAY OF October, 1975.

MAYOR Acting ADMINISTRATOR-CLERK

NOTE: 1. DISTANCES FROM PROPERTY LINE TO BUILDING SETBACK LINE ARE MINIMUM DIMENSIONS. DRIVEWAYS AND BUILDINGS SHOW IN DASH LINES ARE FOR PURPOSES OF ILLUSTRATION ONLY AND DO NOT REPRESENT THE REQUIRED BUILDING LOCATION OR DIMENSION.

2. A SITE PLAN AGREEMENT HAS BEEN SIGNED IN RESPECT TO THE SUBJECT LANDS.

3. MAP NOT TO SCALE.

15.214 Exception Zone 214 (By-law 625-77)

1. Provisions

   a) The standards and provisions as set out on Figure 1 attached hereto shall apply to the area restricted by this By-law.

3. Figure 1

Zone	Symbol	Minimum Lot Frontage	Minimum Lot Area	Minimum Floor Area	Minimum Yards			Minimum Parking Space Per Dwelling
					Front	Side	Rear	
Residential (One-family detached dwelling)	R4S	13.4 metres for inside lot 15 metres for corner lot	460 square metres	95 square metres	4.5 metres	1.2 metres unless the side yard abuts a street when the minimum shall be 2.7 metres	7.5 metres	Each dwelling shall have one private garage having a minimum floor area of 18 square metres set back at least 6.0 metres from the street of access

2. Provisions:

a) Maximum building height – 10.5 metres

b) Maximum building coverage – 33 percent

15.215 Exception Zone 215 (By-law 668-77)

1. Provisions

   a) The standards and provisions as set out on Figure 1 attached hereto shall apply to the area restricted by this By-law.

2. Figure 1

Zone	Symbol	Minimum Lot Frontage	Minimum Lot Area	Minimum Yards			Minimum Ground Floor Area Per Dwelling (square metres)			Minimum Parking Space Per Dwelling
				Front	Side	Rear	1 storey	Split or 1 ½ storey	2 storey	
Residential (One-family detached dwelling)	S1	15 metres for inside lot 16.5 metres for corner lot	510 square metres	4.5 metres	1.2 metres unless side yard abuts street then minimum shall be 2.7 metres	7.5 metres	110	74	65	Each dwelling shall have one private garage having a minimum floor area of 18 square metres setback at least 6.0 metres from the street of access
Residential (One-family detached dwelling)	S2	13.4 metres for inside lot 15.0 metres for corner lot	460 square metres							

3. Provisions

a) Maximum Building Height – 10.5 metres

b) Maximum Building Height – 33%